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THE

TRIAL

OF

RICHARD PATCH,

FOR THE

Wilful Murder

OF

Mr. ISAAC BLIGHT,

SEPTEMBER 23, 1805,

AT ROTHERHITHE, IN THE COUNTY OF SURRY;

BEFORE

THE RIGHT HON. SIR A. MACDONALD, KNT.
Lord Chief Baron of His Majesty's Court of Exchequer;

AT THE

SESSIONS HOUSE, NEWINGTON; ON SATURDAY, APRIL 5, 1806.

Taken in Short Hand by
BLANCHARD AND RAMSEY.

WITH

Portraits of RICHARD PATCH and ESTHER KITCHENER,
Taken in Court, expressly for the Publication,
by an eminent Artist;
Together with a VIEW of the HOUSE, and a GROUND PLAN
of the Premises, &c. &c.

THE THIRD EDITION, WITH ADDITIONS.

LONDON:

Printed, by the Express Appointment of the SHERIFF,
FOR EDWARD JEFFERY, PALL-MALL;
Sold by John Walker, and H. D. Symonds, Paternoster-Row; Harris
Corner of St. Paul's Church-Yard; W. J. and J. Richardson,
Royal Exchange; and J. Bell, Oxford Street.

1806.

[*Price* 6*s*. 6*d*.]

N. B. The Additions to be had *gratis* by the Purchasers of the First Edition.

J. BRETTELL, PRINTER,
MARSHALL-STREET, GOLDEN-SQUARE.

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A Facsimile of a Letter adressed to Mr Jeffery Bookseller No 11 Pall Mall from Kennard Smith Esq High Sheriff for the County of Surrey

Mr Jeffreys

I enclose you an order at the request of Sir Joseph Mawbey to admit two persons into the Court to take the Trial of Mr Patch I have only to request it may only be made use of by those persons named in the order of admission I am

Yours truly

Kennard Smith
High Sheriff Surry

Chean
4th April 1806

ADDRESS TO THE READER.

THE Publisher of the following Trial would have felt truly happy to have been spared the aukwardness of pressing himself upon the public on the present occasion; but a necessity has arisen for some few words of Explanation and Apology, both to the public and to a dignified Individual; which he trusts will plead his excuse for the liberty he has taken, and which, he presumes, will warrant that encroachment upon his Reader's time, which would otherwise be justly deemed obtrusive and impertinent.

When the subject of the late Mr. Blight's murder first attracted general attention,

the Publisher, struck with the similarity of that transaction to those of other strange and complicated instances of the same kind, of which his casual research and reading had furnished him with the knowledge, re-printed two scarce tracts of a nature strongly approaching, in incident and substance, to the case of that unfortunate gentleman. The eagerness with which this re-publication was sought after, induced him to turn his attention towards the collection of the most authentic materials for compiling an account of the Trial of Mr. Patch, which he proposed to give to the public in a form and manner such as to gratify, most amply, its curiosity, and do credit to himself, as its servant.

With a mind and temperament naturally sanguine, the Publisher, having once conceived his project, proceeded to put it into execution with a degree of zeal and warmth, corresponding indeed with his character, but, as will be seen in the sequel, with more eagerness than judgment.

The few lights the Publisher possessed upon the

the subject of giving the details of a trial more than commonly interesting to the world, led him to imagine, that the countenance, if not the express *imprimatur* of the Judge before whom it was brought, was the more respectful as well as the more authentic mode of conveying the necessary information to the Public.

With this view of the affair, the Publisher proceeded to avail himself of the kind interference of Mr. ——, and Lady ——, to procure permission from the Lord Chief Baron (Macdonald) to report the Trial in question; and he had the satisfaction to find, that the noble Personage last mentioned, had not the least objection to the Publisher's taking the fullest and fairest account of the proceedings about to be brought before his Lordship.

The Publisher's next object was, to procure the sufferance of the High Sheriff of the county of Surrey, for the presence, in court, of his reporters, Messrs. Blanchard and Ramsey; and also for that of a draughtsman of respectability, whom he had engaged to take the portraits of the principal parties

parties concerned, in order that nothing might be wanting to satisfy the strong interest which was excited by the unusual circumstances of this case. In this object the Publisher was eminently successful, the High Sheriff having conceded the grace so demanded, with his accustomed urbanity and kindness.

Having thus matured his arrangements, the Publisher, in order to apprize the world of what it had a right to expect, issued some hand-bills; in which he certainly most unadvisedly, and unwarily inserted, that the Trial they announced was under "the patronage of the Lord Chief Baron."

The consequence of this insertion (which the Publisher has thus characterized, he hopes, with the utmost severity it merits,) was the receipt of the following Letter from the Lord Chief Baron, which is here given at length, as the best proof of the subdued and chastened spirit, with which it has been received and felt by the Publisher.

(COPY.)

East-Sheen, April 10, 1806.

" SIR;

" To my great astonishment, " I find that a man of your character should " take the liberty of using my name, with- " out my consent, in an advertisement of " which I enclose a copy.—I am convinced " you have been imposed upon. I there- " fore require this be contradicted, in all " the Papers in which it has appeared, *to-* " *morrow*—with a proper apology for ascri- " bing (though I believe by imposition " practised upon you) a sort of conduct " to a Judge quite unbecoming. If this is

" not done, I must take some steps which " will be very unpleasant to me as well as " to you.

" I am,

" SIR,

" Your most obedient Servant,

(Signed) " A. MACDONALD."

Mr. Jeffery, Bookseller,
Pall-Mall.

Stunned and alarmed by the receipt of this most unexpected letter, which the Publisher received about six o'clock in the evening of the 10th of this month, he was too much agitated then to reply to it; but in the course of the same evening, he waited upon the Lord Chief Baron at his seat in the country with the following note, couched in the most respectful terms the Publisher could devise:

(Note.)

(Note.)

April 10, 1806.

Edward Jeffery presents his dutiful respects to the Lord Chief Baron, and feels himself extremely distressed at the contents of his Lordship's letter; finding therefrom, he has given offence, which he can most solemnly say was perfectly unintentional on his part, as will be perceived by the following statement: — E. J. understood from Mr. ——, that, through the kind interference of Lady ——, his Lordship had expressed, in a letter to her, that he had not the least objection to his taking the Trial of Patch, provided he could get the permission of the High Sheriff for that purpose:—this written permission he obtained from the latter in a most polite and obliging manner, with many commendations from that gentleman for his Lordship's very handsome conduct on the occasion, for not interfering therein. In pursuance of his special authority, and the kind recommendation of several gentlemen of the Grand Jury, Messrs. Blanchard and Ramsey were accommodated to take the Trial of Patch. Their ability in their profession is well known to both Houses of Parliament and every Court of Justice. Edward Jeffery,

Jeffery, having seen the many hasty advertisements of this Trial, and being convinced the public could not form any adequate idea of this interesting occurrence from such unauthorised statements, conceived himself, under such circumstances, and the implied sanction above stated, at liberty to avail himself of his Lordship's kind countenance, which he had expressed to Lady ——, in answer to her Ladyship's letter. Edward Jeffery has not had time to consult her Ladyship as to the propriety of using her name in this affair, conceiving it first his immediate duty to answer his Lordship's letter. If to these considerations he adds the very kind notice his Lordship was pleased to take of him whilst he lived at the respected Mr. Payne's, the patronage the Duke of ——, Lord ——, and Lord ——, have always condescended to shew him, he flatters himself the liberty he has taken in using his Lordship's name will not be deemed inexcusable, but meet with that reception which his Lordship's known liberality and goodness have invariably displayed on all occasions, especially to a father of a large and increasing family.

Pall Mall, No. 11,
7 o'clock in the evening.

In

In addition to the contents of this note, the Publisher, as matter of further apology to his Lordship, was prepared to shew, that he had immediately caused the offensive word in the hand-bills to be withdrawn; that he had never printed a single advertisement, in any news-paper, upon the subject; and that even the copy of the hand-bill submitted to his Lordship, for the purpose of exciting the anger of the Lord C. B. towards the Publisher, was garbled and incorrect.

Had the Publisher been so fortunate as to have been permitted to have gone into this explanation, great pain of mind would have been saved to him, and the public would have been spared the perusal of this statement.

In the Morning Papers, however, of the 12th of April, there appeared a paragraph, stating itself to be "from authority," and purporting, that "advertisements having appeared in the news-papers, which asserted that the Trial of Mr. Patch, advertised by E. Jeffery, bookseller in Pall-Mall, was to be published under the patronage of the Lord

Lord Chief Baron, such advertisements were unwarranted and false."

The news-paper Conductors best know how they can reconcile it to their duty to the public, to have here given a positive statement of a fact which never existed: but it belongs to the credit and character of the Publisher to assert, in the most solemn manner, that no such advertisement as is thus contradicted "from authority," ever had appeared in any news-paper, either in town or country.

Having thus far trespassed on the patience of his readers, the Publisher humbly begs leave to add a very few words more.—

To the Lord Chief Baron, he offers his unfeigned and warmest acknowledgements, for the mild and obliging terms in which his Lordship was pleased to express himself, under circumstauces which, aggravated as they were to his Lordship, (and to a certain degree, as the Publisher has above shewn, unfounded,) were more than the latter had any right to expect. May he be permitted further to add, that his Lordship is amongst the last men in the country whom he would

wilfully have offended, and that one of the principal objects of this Preface, is to shew his Lordship, that, however he may have offended him, the crime must be ascribed to any other cause, save that of intentional disrespect.

To the Public, it becomes a serious duty to evince, that the Publisher never meant, for a single moment, to abuse its credulity, or impose upon its judgement. Enough has been shewn in these lines, he trusts and hopes, to satisfy every candid mind, that, although he inadvertently and ignorantly made use of the word Patronage, and that those of Sanction or Permission would have been the most appropriate to the occasion; yet, that in any step he has taken, he never proceeded for a moment with a view to imposition or falsehood. The instant the impropriety of the offensive word was pointed out to him, from that quarter which could best determine its signification; it was withdrawn from the hand-bill, where alone it had appeared. To contradict statements in news-papers, which never existed, was out of the power of the Publisher.

Of

Of the Trial itself, now brought before the Public, it is needless to say much; the pains and expence bestowed upon it by the Publisher, will be sufficiently apparent; and he has only to return his most grateful and humble acknowledgements to the numerous and distinguished List of those who have honoured him with their orders for the Publication.

Pall-Mall, April 23, 1806.

EDWARD JEFFERY.

J. Brettell, Printer,
Marshall-street, Golden-square.

TRIAL

OF

RICHARD PATCH.

SATURDAY, APRIL 5, 1806.

THE Prisoner was brought to the Bar, and the Indictment read by Mr. KNAPP, to which he pleaded—*Not Guilty.*

The following Gentlemen of the Jury were then sworn:

CHARLES SMITH, of Merton,
THOMAS DALY, of Barnes,
JOHN LAYTON, of Putney,
JOHN CAPE, of Putney,
ISAAC HILLIER, of Merton,
HENRY WOOD, of Putney,
JOHN WEDGE, of Wandsworth,
THOMAS BARTLETT, of Merton,
GEORGE MOORE, of Putney,
GEORGE SMITH, of Putney,
DANIEL LANGTON, of Wandsworth,
THOMAS CHAPMAN, of Putney.

Counsel for the Crown.

Mr. GARROW—Mr. COMMON SERJEANT—Mr. CONST—Mr. POOLEY.

Counsel for the Prisoner.

Mr. SERJEANT BEST—Mr. GURNEY.

Solicitor for the Crown.—Mr. HUMPHREYS,

Solicitors for the Prisoner.

Messrs. FLETCHER and WRIGHT.

The Indictment was stated by Mr. POOLEY.

Mr. GARROW.—May it please your Lordship, Gentlemen of the Jury, I have the honour of attending you in this case in order to discharge the duty which belongs to the Counsel for the Crown, in stating the circumstances of the case on the part of the prosecution.—Gentlemen, we are engaged in a very awful and most important enquiry, which will require your best, undivided and particular attention. You will not expect me, in opening this case to you, to enter into any elaborate argument, or to endeavour, by any subtlety of reasoning, to lead you to the conclusion to which I, who have to state this case to you, must necessarily have arrived—namely, that justice will call upon you to pronounce the Prisoner guilty.—Gentlemen, You will attend entirely to the evidence, as it shall be laid before you, and you will consider what I shall have the honour of addressing to you, meant merely as an index to that evidence, to enable you to pursue it in detail, and attend to it with such observations as you will by and by receive from his Lordship.

Gentlemen, as in this place and at this time you are somewhat unusually assembled, it may not be unfitting, and I hope my Lord will not think so, to say a word or two upon it, and I do it the rather because it affords me an opportunity of doing it in the name of the public justice of the country and (I may be permitted to add) in the name of the Prisoner whom I prosecute, to offer my humble tribute of thanks to his Lordship for having thus assembled us. We have to lament, and I for one, and I hope for the last time in my professional life I shall have to complain of it, that in this most important cause there have been but too many details in the public prints. The Prisoner, in the ordinary course of the administration of justice, would have been to be tried at my Lord's Assize in a different part of the County than that in which we are now assembled; the case had excited much curiosity, the in-

dictment was found at that Assize, and it was there necessarily the subject of much conversation; his Lordship, therefore, with that anxious attention which all British Judges pay to the administration of justice, has thought it fitter to adjourn to this place, and to direct new summonses to be issued for the purpose of assembling you in this place; you are therefore now, for the first time, called to give your attention to this subject, in order that between the Public and the Prisoner there may be a fair and a satisfactory deliverance: from you I have no doubt that is fairly to be expected.—Gentlemen, I will take the liberty of saying one word more: if you have had the misfortune, as you probably may, to have read (before you knew it would be with in your consideration to pass upon this Jury) any account of this melancholy transaction, for God's sake do your best to dismiss it, and bring your attention to the evidence that will be laid before you and to that evidence alone. Gentlemen, this is not the only mischief to be dreaded from these publications; there is another, against which I will take the liberty of cautioning you: do not because you may have heard something of this out of doors, fail to do your duty from any distrust of yourselves; you will remember the oath you have taken to make true deliverance between the King and the Prisoner at the Bar: you will do that by attending to the evidence, and I am sure the Public and the Prisoner will have reason to be satisfied.

Gentlemen, I shall proceed to state to you the relative situations of the unfortunate deceased and the person now accused of his murder. I shall endeavour to make you acquainted with the situation of the premises in which the deceased resided and in which he met his death, and I will state to you what appears to me; and here again I caution you to reject all I say that does not meet with full confirmation in evidence. No man I am sure will accuse me

of designedly uttering one syllable calculated to inflame or to mislead you; but it may happen that having looked at this case in the light in which I was called upon to look at it, and which I fain would have retired from, if I could have done it with propriety, it may be that circumstances may have struck me in a light more strong and forcible than they may strike you; but you will correct my errors, and you will be most ably and powerfully assisted in that correction. I shall proceed as I said, to state to you the relative situation of these parties, a situation which, if the Defendant be guilty of this murder, places him in the condition of one of the worst men that the history of mankind ever presented to us; as a man who deliberately sought the means of bringing his best friend and benefactor into the toils of mischief, and there with a determined purpose of destroying him, taking away that life which had been a great part of it spent for his benefit: that is a case which if it is not exactly, is indeed the next of kin to petit treason, I believe amounting to petit treason.—I shall then proceed to give you an account of the premises in which these parties resided and in which this deed was perpetrated, from which it will result that it was absolutely impossible, *absolutely impossible*, (I say it advisedly,) that any other hand should have occasioned the death of Mr. Blight than that of the Prisoner at the Bar; I shall proceed to detail to you other circumstances, from whence it will result that by his hand Mr. Blight came by his death; I shall be under the necessity of detailing to you the conduct and conversations of the Prisoner, from whence, in my humble judgment, the same result seems necessarily to follow; I shall then produce to you some circumstances in evidence, in which without suspecting myself of being very superstitious, I persuade myself I have seen the directing hand of Providence to arrest guilt in its career, and bring the guilty hand to punishment.

Gentlemen, the deceased Mr. Blight lived in the neighbourhood of Greenland Dock, where he carried on the business of a ship-breaker, which you know consists in breaking up ships that have been long engaged in the service, in order to make a profit of the materials. He had for a menial servant a sister of the prisoner Patch; and you will find that, in the spring of the year 1803, (and it will not be material for me to burden your recollection with more than two or three dates,) you will find that, in the spring of 1803, the prisoner came to pay a visit to his sister, who was then a menial servant in the family of Mr. Blight: she asked permission for her brother to remain there during that night: that permission was granted; and then he represented himself to be a person in very distressed circumstances, who had been under the necessity of leaving the West of England in consequence of some embarrassments occasioned by a dispute about tithes; and you will find it a very important fact in this cause, when you come to compare it with other facts, which I shall state presently, that he engaged in the service of Mr. Blight, as a ship-breaker, merely for the compensation of receiving his victuals and drink, without any pecuniary compensation, without any salary or wages, but merely working for his meat and drink: we find him in 1803, therefore, a considerably distressed man. He continued for some time upon this footing with Mr. Blight; and being, I believe, a valuable servant, while he was employed in the concerns of his master, he agreed to give him an addition of 30l. a year by way of salary. He went on for some time boarding in the family; and, at length, desiring rather to board himself, his salary was increased to 100l. a year. We find, then, the history of him to be this: that he leaves his home in the spring of 1803; that he is a sort of outcast, without any means of subsistence; and, at length, he gets into a situation, where, by

his hand-labour, he is earning a sum of 100l. a year. Gentlemen, you will find, that in 1805, Mr. Blight became somewhat embarrassed in circumstances, and it became necessary for him to call his creditors together, and make arrangements for settling his affairs: there was a deed of composition executed, a sort of thing which frequently takes place, by which the ruins of a man's affairs are to be divided among his creditors, and he remains a free man. You will find the Prisoner taking a very important share in this transaction; and, I believe, furnishing from that transaction a clue to that guilt which this indictment imputes to him. Probably, some of you, Gentlemen, know, that the effect of these arrangements is to make an equal distribution among all the creditors, under the operation of the Bankrupt Laws: that is, if any one stands out, and insists upon having his full demand, it is usually provided that if the whole do not come in, the deed shall be of no avail, and then the person keeps his property. It happened that one of these persons would not come in, which threw all this arrangement into a state of confusion; in consequence of which, in an evil hour, it occurred to Mr. Blight that it was necessary to protect himself against those creditors who might thus become importunate, and he did that which those who survive him, and have an interest in his fate, have reason to lament—he did that which is not to be justified—he prepared an instrument by which he intended to make this his bosom friend the protector of his property against his creditors: there was an appearance of transfer of all the property to the Prisoner, for the nominal consideration of £2,000. You will find that circumstance to be of considerable importance in this cause. The manner in which that was to be carried into execution was by a Bill of Parcels, enumerating the property supposed to be transferred, a receipt, and a letter purporting to

be addressed by Mr. Blight to Mr. Patch, in which it appears that he had applied to the City of London for a renewal of his lease, by Petition, stating that it would be continued for his benefit, though the petition was put in in the name of Mr. Blight. This I think was in the month of July, 1805. Some time after this the family of Mr. Blight went into the country, to Margate, and he was about to follow them; but before he went he entered into a new agreement with the Prisoner at the Bar. You observe the one entered into before was merely colourable, to appear or not appear, as the pressure of the creditors might come upon him, and then to make its appearance; and if there was no such pressure, in plain English, to defraud the rest of the creditors, and protect the property of Mr. Blight. But in the month of August he entered into a new agreement with the prisoner, which will be of the last importance for you to recollect, in which it was stipulated that Mr. Blight should retire nominally from business, but that the prisoner should conduct it on these terms:—Mr. Blight was to be interested in two-thirds of the profits of the trade, and the Prisoner in the other one-third; and for this one-third the Prisoner was to pay the sum of 1250l. Now, Gentlemen, it will have occurred to you, probably, that this was likely to be a difficult thing for a man to attain of whom I have given the account I have to you. He had, so late as the spring of 1803, been without means; he worked some time for his bread only, and then for 30l. a year; from which salary one would think, much could not be saved: then he boards himself and his family, with the increased remuneration of 100l. It is difficult to conceive, indeed, it is not to be imagined, from any thing we are acquainted with, that, out of these means, he should be able to pay a consideration of 1250l.; and you find, he did not pay it, but that he did pay what

possibly might be collected together from the ruins of his fortune when he came from the West, and which he might have saved; however, he did pay the sum of 250l. leaving the sum due to Mr. Blight of 1000l. It became necessary, however, that as only 250l. out of 1250l. was paid, there should be some security for the remainder given to the man who was giving up a part of a beneficial business; and, the Prisoner at the Bar gave to Mr. Blight's banker what he passed upon him as a valuable security, purporting to be a draft upon a person of the name of Goom, a glue-maker, for 1000l.: which draft became payable on the 16th of September. The representation the Prisoner gave upon that subject, was, that he had sold an estate in the West; that he had received the consideration money, and that he had lent it to Mr. Goom. When that was stated to Mr. Blight, he was surprised; he remonstrated, and his expression was, "It was strange he should so have glued up his money;" meaning that he should so have locked it up: but the thing was done and could not be avoided; therefore the payment to Mr Blight of 1000l. stood upon the security of the draft drawn upon Mr. Goom, which would have been demandable on the 16th of September. When the 16th arrived, the Prisoner represented to the bankers that Goom was not in a situation to take this up when it should mature, and he renewed it by substituting a draft of his own; he placed his own draft in the place of Mr. Goom's, which was payable upon the 20th of that September. Gentlemen, we come now to a date most closely and intimately connected with the main subject of this enquiry. Upon Thursday, the 19th of September, Mr. Blight left his home, in order to visit his wife, then at Margate; he had proposed to make some stay there: the important concerns in which he was engaged, as they respected his property, were the payment of this draft of 1000l.

upon Goom, which he had reason to expect would take place on the 20th of September, the day after he left London, probably the day on which he would arrive at Margate. It will be material to shew how the Prisoner was engaged at this time: he accompanied his friend as far as Deptford, upon his journey to Margate, and then he presented himself to the bankers, and represented that Goom would not be in a condition to face the debt on the 20th; but he had got from him a note that satisfied him, and therefore the bankers were not to present that draft; the bankers were the mere creatures and instruments of the parties, and therefore he desired the draft might not be presented. Now, Gentlemen, this 19th is a day of vast importance in the melancholy scene you are called upon to contemplate; the Prisoner is now left at home, in the house of Mr. Blight, with no other person in that house but a female servant, a woman of the name of Kitchener; you will find that the family usually spent their evenings in what I shall call the front parlour of the house, by which I wish you to understand the parlour fronting the Thames; the prisoner was alone, and about eight o'clock in the evening he desired the servant, Kitchener, to go out and bring him sixpennyworth of oysters for his supper. I take it for granted she had not far to go; but before she returned, this circumstance happened; either a pistol or musket ball had been fired through the shutter and the window of the front parlour in which he was sitting and in which the family ordinarily sat. Upon this he immediately jumped up, as he represents it, with considerable surprize, and went upon the wharf, looked about him, but found nobody there. I shall describe the premises to you presently; he went to the gate, which is very important, and there he found a man and his wife, who will to-day be called to you as witnesses. I charge, Gentlemen, and I undertake to satisfy you, that the shot thus fired upon the

19th, was not the shot of any enemy to any persons in that house, but was fired by the Prisoner at the Bar, for the purpose of bringing about the catastrophe which I am about to state to you, and which he set about immediately to accomplish. I say it was not fired by any enemy to any person in that house, having seen the place, but I shall demonstrate by evidence it was impossible; for in the front of that room there is a wharf upon which the timbers lay of the ships which are broke up; there is considerable depth of wharf, so that the only way in which any person could have fired at the window must have been either by standing upon the wharf, or in some other direction and so firing. Now we will see first whether any stranger or any enemy could have fired it from the wharf. The prisoner is sitting in the room; he quitsit and goes out instantly to search for the person who fired; he finds none; he comes then to the gate of the wharf, which was the only way by which any person could have escaped, and there he finds a man and his wife, who will tell you they had an opportunity of seeing who might come out, but they did not see any body running or walking, or as he put it to them climbing over the rails, or in any manner escaping; that they did indeed hear the report of the pistol, and they will prove it was impossible for any person who discharged that pistol upon Mr. Blight's premises to have escaped.

"Gentlemen, I have stated it was impossible for any body within the premises to escape, but it may be said, why not over the wharf and so by the river? For this reason, I will prove to you that at this time it was low water, that there was deep mud, into which any body would have sunk to suffocation if they had attempted it. It will appear that there was no direction in which a person could have fired a pistol so as to command this window at any distance, because there was a large crane and other objects that would have intercepted the ball, and

above all from the manner in which tne ball has entered close to the lower part of the shutter, it is quite clear to any body who observes it that it has been discharged close to the shutters, rested upon the sill, perforated the outside shutter, gone through the bottom of the sash, broke the Venetian blinds, and so in. But we shall come to see presently whether the Prisoner at the Bar fired this pistol or any body else; but it may be said, could not this ball have been fired from the river? No, first for the reason I have stated, because the water was low, and in the next place, that the elevation from the mud, supposing any body to have stood there, is such that it is impossible; any person firing a pistol there, might have struck any other part of the house, but with no possibility of hitting the place this ball did, or that it could enter where it did.

Now, Gentlemen, we shall pursue, if you please, the examination, whether this was a shot fired for mischief, or a shot fired by the Prisoner, in the furtherance of that malice which this prosecution charges upon him by his own conduct upon this occasion. As soon as he went first out of the premises of Mr. Blight, and an alarm was given, a very near neighbour, a publican of the name of Frost, immediately resorted there. The question was, What does all this mean—what is the object of it? A man sitting alone in his house, in the room in which the family usually sat, to be thus shot at?—One cannot hesitate what it means:—it must mean malicious mischief; and any person who has wrought himself up to do this, would probably follow up that mischief. In Courts of Justice we must reason according to the circumstances that occur in human life;—it is natural he should say, you are placed in considerable danger—you must take precautions for your own safety. We have no other clue to go by in deeds of darkness; we cannot call witnesses to prove the commission of the crime:—to God alone

are those secrets known; we can only get at them from the ordinary conduct of the rest of mankind. Upon this story being stated, the neighbours naturally offer their assistance to protect the person who has been put into peril. Mr. Frost offers to continue with the prisoner.—No, says he, they will not come again to night.—But why not guard against the possibility of that?—No, they will not come again to-night.—But if you are to remain in the house, it is as well to be guarded—have you any means of defence for yourself?—Yes, I have pistols, but I have no ammunition.—Then I will furnish you with ammunition.—No, no; I don't want any body to protect me, or any thing to protect myself: I shall go home and go to bed;—and home he goes, and to bed. This, you observe is the 19th of September; on the next day, he writes to his patron, Mr. Blight, at Margate, and gives an account of this transaction; and he says, he hopes it may turn out to be accidental; that, for his own part, he knows of no person who has animosity against him; that he wishes to know for whom it had been intended, whether it was intended for him or Mr. Blight; he wishes for an answer, and concludes his letter in a manner, which, perhaps, you may consider somewhat remarkable; he says, "I should be glad to have a line from you, but I shall be much better pleased to see you, as you are the only friend I have to consult with." Now I, for one, have not been able to discover the necessity of this recal of Mr. Blight from Margate. I admit it was extremely fit that measures of precaution should be taken; an application to the Police Office, and a communication of the circumstance to Mr. Blight was natural; but I do not see the necessity of bringing him to London. This letter might be expected to communicate something with respect to his pecuniary concerns, and one should have supposed there would have been a

nota bene, either that Mr. Goom has taken up his note this day, or he has given me some security perfectly satisfactory; it would not have been unnatural to expect that. The letter is not a very short one; it is not confined to a line or two, but it enters into a detail of this transaction, and is absolutely silent upon that subject. Mr. Blight receives this letter at Margate, and comes to London, where he arrives on Monday the 23d day of September. The first object of enquiry I take it for granted was, into the circumstances of this firing on the preceding Thursday; but it does not appear to have been considered by any of the parties of so much importance as to take any preliminary steps upon it. The next object of enquiry was, as to the payment of this 1000l. about which he had been uneasy, and the Prisoner did not communicate to him that which he had done immediately upon his leaving town; namely, to forbid the bankers to present it, and that he had satisfactory security. If the transaction was fair and right; if every thing was intended to be communicated to Mr. Blight, that was the natural conclusion to be made; but, on the contrary, as I shall prove, he led Mr. Blight to believe, that the money was not only perfectly safe, but forthcoming, and you will find it extremely important, because you will find the Prisoner expressly denying that any such circumstance took place: you will find the Prisoner went to London for the money, with an express inhibition from his partner not to return till it should be procured; he returned immediately, and what passed it is not in my power to state to you; the day passed on till the evening; in the evening they drank tea together, and it was afterwards proposed that they should have some grog, and they are each of them taking a glass of grog till about eight o'clock in the evening.

Gentlemen, I have stated to you that the fa-

mily usually spent their evening in the front parlour, into which the first shot was fired; for the first time the Prisoner and the deceased spent their evening in the back parlour on the Monday, in which parlour, by somebody, Mr. Blight was shot to death. Now, it appears to me, that in the chaste and pure discharge of my duty, which I do assure you I am most anxious for, and which I should neglect if I did not here observe, that if any body had intended a fatal blow either to the Prisoner or Mr. Blight, and had intended to renew it on the Monday, where would such person have expected to perpetrate the crime? I dare say you have already answered the question, certainly in that front parlour in which the family usually sat, and where naturally they might have been expected to be found; but you will find that they were sitting in the back parlour, and at about eight o'clock you will find the prisoner Patch quitting that back parlour in which he had been sitting with his friend, who had been travelling all night, who was drowsy, and had been drinking grog, going to the servant in the kitchen, asking her for the key of the counting-house, stating that he was ill, that he was disordered in his bowels, and that he was under the necessity of going to the privy; and you will not surprised at the reason; I will state to you hereafter that he made that declaration: it is not usual for mankind to proclaim to persons of that sex those necessities, but you will find it not unimportant in this case: he goes out with a candle in his hand, passes the door of the room where Mr. Blight was sitting; he leaves that door open, he goes to the street door which he opens; he opens the gate in the front of the house; leaving the street door open, he turns round to the counting-house, the door of which he unlocks, and he passes on to the privy, through the counting house; and, according to the testimony of Esther Kitchener, he slam-

med to the door of that privy very hard, which does not of itself fall to hard; but he slammed the door of the privy hard, and, as she describes it, she saw the flash of a pistol at the door where her master was sitting, and before she could quit the place where she was sitting, which is not farther than from me to the Prisoner, her master came into the kitchen, and resting himself upon the dresser, stated himself to be a dead man, putting his hand upon the wound, which certainly at that time had been inflicted upon him; the maid servant rushes past her master, she finds the street door and the gate open, and she immediately does that which I think instinct suggests, she shuts the door, upon which is a spring lock, and by the time she had got it to, the Prisoner at the bar is knocking loudly for admission at the door. Now the only difficulty I have seen in this case, if it deserves the name of one, is that which grows out of the representation of Kitchener, with respect to time, because she says, having heard the Prisoner slam to the door of the privy, she instantly saw the flash of the pistol at the door of the parlour; now if you are to take that to be correct, and understand it to be instantaneous, to be sure the thing is impossible; but may I not, in a criminal case of this high importance, ask you whether your own constant and hourly experience does not teach you that even in the most tranquil seasons, and above all in seasons of alarm, when called upon suddenly, there is nothing you measure so ill as time. Do not you hear of persons of respectability differing in this even as to hours; it must be familiar to every man in every occurrence, in sickness or in health, in times of business or pleasure, in any of the ordinary transactions of life; it is certainly one of those things which it is the most difficult to measure; to be sure, if there was nothing else in the cause you would give it great weight, but in the strict letter, I, on the part of the prosecution, admit it is

impossible to be so; he could not be in the privy and at the parlour door at the same moment: but what I charge upon him is, that he went out of the parlour to the counting-house; that he went to the privy, or pretended to do so; that he shot the deceased, went out, and returned to the door at the instant the girl had shut it.

Gentlemen, you will now learn, that in the front of the house there is a paved court, and that in the front of that there is a wharf, upon which there is not ordinary street dirt, but that which in the course of this trial will turn out not to be unimportant, that sort of dirt which is naturally occasioned by the stripping off the timbers of ships which they break up; you will by and by see the importance of that observation. Gentlemen, upon this happening, the Prisoner came into the house, flew immediately to the assistance of Mr. Blight, and after an interchange of affectionate expressions between them, desired that assistance might be fetched. The girl then went out at the kitchen window, and Mr. Frost will state to you the situation in which he found him. Now, I will take the liberty of stating to you, that upon my view of this case, the evidence will exclude the possibility of any other person having done this mischief; that is my first position, and I will tell you upon what that stands: the gates of the yard were close shut and fastened, the small gate was close shut, and the state of the tide such, that nobody could have escaped that way; and to put it out of all doubt, as I stated to you, I thought I saw the finger of Providence directed for the detection of guilt. Witnesses will be called to you who were within view of all those parts from which it was possible for any stranger to have escaped by land. Several persons were assembled; one of them bearing a link alight, who will tell you with absolute certainty, that no person could escape that way. Could they escape any other way? Could they

escape by water? No, for the reason I have stated, that they would have had the chance of breaking their necks, or of being suffocated with the mud through which they must have passed; and therefore my proposition is, that the hand of the prisoner was the only hand by which the murder could have been perpetrated. Now, Gentlemen, let us see whether there are not circumstances to induce a belief, that the Prisoner did perpetrate the murder. He is in a situation in which he well may do it if he has the guilty purpose; he has his friend sitting in a state approaching towards sleep; he goes for a real or pretended purpose from him; he absents himself long enough to go to the counting-house, if in that counting-house there was an instrument of death, and had sufficient time to return again to the house. Give me leave to ask, what would have been the conduct of an innocent man, situated as the Prisoner was, in relation to Mr. Blight, on that Monday the 23d of September. If he had occasion to leave him for a moment; if he were persuaded, and he well knew how the fact was, his conscience could inform him whether the shot of the preceding Thursday was a shot of his own, or whether it was a shot aimed at the life of Mr. Blight, for he disclaimed that any body meant to attack his own, would he have left his friend in the circumstances I have stated to you, would he have left him with the door of the parlour open in which he was thus composing himself to sleep, would he have passed through that street-door in order to go upon his necessary occasion, without pulling the door after him, for the spring-lock, without any effort of his, would have fastened it? Would he have passed with his key to the counting-house, and gone to this place, shutting the counting-house door after him?—Above all, when he heard the alarm of the pistol-shot would he have been found in the place in which the witness found him?—Gentlemen, if I have excluded

every other hand—if I have shewn the probability that his was the guilty hand, you will ask me what is the motive?—Generally speaking, Gentlemen, when that question is put to the prosecutor's Counsel, he has but an unsatisfactory answer to give:—there is no motive that can be adequate to make its impression on a virtuous and good mind to occasion the death of his fellow-creature; we must search into other causes for motives than those that spring out of virtue and morality; but we do know that these causes are to be found in the passions, incident to a depraved and wicked heart, in malice, jealousy, long conceived hatred; above all, I believe the love of inordinate gain, which can only be obtained by putting another to death: these, I am afraid are found to be causes that produce such an effect. I shall proceed to shew that previous to the murder, by his declarations before and subsequent to the murder, there is not only the utmost probability, but almost the impossibility of doubt, that he did the deed, and that he did it for the cause I have stated to you. Let us look at the pecuniary concerns of this gentleman, and let us see how the prisoner conducted himself upon it; but before I go to that, I will proceed a little more into detail of the narrative of the transaction. I have stated that in my judgment there is no other hand that could have done it; but is there any body else on whom any suspicion could have fallen? Yes there is; and we shall see who generated that suspicion. Is there any man whom the common acquaintance of Mr. Blight can point out likely to do this? I remember a case, a very remarkable one, and perhaps his Lordship will recollect it, the case of a man of the name of Banstead, at Bury, who had quarelled with a farmer, and impounded the man's cow, and when he went to feed the cow, set a boy who was little better than an ideot, with a gun, to take the aim and destroy the man.—What was

the motive there?—Malice:—So in this case. Shew me somebody, if it is not the prisoner, with whom Mr. Blight was in this unfortunate condition. Let us see whether there is any such person, and first I look about to see what account this man has given. You will find one of the most intelligent persons in his profession, with whom I have the honour of being acquainted—(I speak of Mr. Ashley Cooper) was called upon to attend the deceased, Mr. Blight, and he did that which it was natural for every body to do, but which was abundantly the duty of the Prisoner at the Bar to do—to look about, enquire and search into his own recollection to discover if possible upon whom the suspicion might fairly fall, and trace that suspicion home. Mr. Ashley Cooper asked of the deceased, Is there any body you suspect? Gentlemen, I entreat your attention to this:—In the presence of the prisoner the deceased is asked, Is there anybody you suspect? The good man himself was free from all suspicion; he suspected no one—and the last man certainly was the defendant: he had no suspicion of him or any body else; but the answer to the interrogatory of Mr. Cooper is this,—Mr. Patch tells him there is reason to suspect one Webster.—*Mr. Patch tells him there is reason to suspect one Webster!* Upon what ground does Mr. Patch suspect one Webster? How has he followed up his suspicion? What has he done? Has he desired any body to go and see whether Webster is at home, and if not to find out his haunts?—What is the ground of that suspicion and what is the conclusion? Why, Mr. Cooper naturally says, addressing himself to the prisoner, Who is this Webster?—A man who is suspected of having stolen Mr. Blight's planks, and whose son has absconded. Now, Gentlemen, if the surrounding circumstances of the transaction will lead the world to look upon me as the perpetrator of a deed of guilt, I will get rid of that, by turning it over to another, if I

can. Let us see then whether this is a *bona fide* representation of the prisoner, whether he had any reasonable ground to suspect Webster, or whether he did not know it was a false accusation; one would have supposed even the sacredness of friendship could not have prevented Mr. Blight from discovering it. You would think it an inhuman and unnatural suspicion to be thrown upon a man sitting with you, and deriving all his benefits from you; but even in the midst of all this, one would have thought that if Mr. Blight had been left to himself, and had thought of these things, they must have brought to his mind that Patch was the guilty man; therefore, it was necessary for him to disarm all that suspicion, to give it another direction, and he gives it to Webster; then you will expect, that he put the magistracy or police in action against Webster, that he had him taken up, and made every enquiry about him. One must suppose he did, because he tells Mr. Ashley Cooper, not only that he suspected him, but why he suspected him, because his house was searched, because he had stolen some of Mr. Blight's deals, and, above all, because his son had absconded. Who told him so? I will prove to you there is not the least foundation for that representation; I will prove that Webster was not the murderer, by shewing where he was, and fully accounting for his time; that his son never did abscond, and that the Prisoner never could believe he did. But has he been consistent with himself? Is any body else suspected? Yes; a man of the name of Clarke; upon what ground? Why, that he had a great quarrel with Mr. Blight about building a wharf. Did he take him up, did he take any measure to bring him to justice. Now, then, as for Clarke too, I will prove to you the most satisfactory *alibi*. It is not necessary, but I shall prove to your entire satisfaction, that these persons were certainly not guilty of the murder.

We come now, Gentlemen, to consider a little the conduct of the Prisoner afterwards. Here too, observe the motive that I attribute to him. You ask me what it is? my answer is, it is to possess himself of the business of Mr. Blight; at one time of part of it, and afterwards of all; either entirely, or, at least, one third, without paying the remainder of the consideration, and this I take out of his own mouth. I shall satisfy you beyond doubt, if the rest of the world have no motive, and are excluded from opportunity; if this man has all the opportunity, and if he has more than enough of motive to operate upon a bad mind, have we not arrived at the conclusion I have stated; but I have much more which it is my duty to state. I have discussed one part of the subject; I have stated that 1000l. remained still unpaid, that it stood upon a draft demandable upon the 20th; and upon that 20th it is withdrawn, by a letter from the Prisoner to the bankers, stating that Goom was not able to face it, but that he had a security equivalent, with which he was satisfied. He owes Mr. Blight 1000l. and he draws upon Goom. What was his right to draw upon Goom? That he had sold his estate, received his purchase money, and lent it to Goom: innocence and truth are always consistent; they do not go out of the strait road into devious paths, because truth always serves the best purpose. Is there one word of truth in this representation? had he received 1000l. as the produce of his estate? I say, no; if he has, we shall hear the evidence of it. Had he lent 1000l. to Goom; had he drawn a draft on Goom, with his knowledge, which he had bound himself to pay on the 20th; had he learned he could not face it on on the 20th? had he forbid the bankers to present it? had he, from Goom, received any other security that could justify the representation he had made? There is not one word of truth in the whole of that representation. On the contrary, he never lent

Goom any thing; he had no communication with Goom; he had not called upon him to pay it; he had no right to draw upon him for it; he had no right to call upon him for payment of that which was not due; he had received no security that gave him satisfaction. On the contrary, you will learn, that Mr. Goom was acquainted with the brother of the Prisoner; but for several years past he had not even the least personal communication or intercourse with the Prisoner. If all this is false, why is all this apparatus about it as to the payment of Goom? It is to lull into a state of security that unfortunate man who was to be the object of his vengeance, and make him believe that as the sum of 250l. had already been paid, that the remaining 1000l. would be paid also; but after the death of this gentleman, how does the Prisoner represent the transaction? Mrs. Blight is fetched up to town; she knew the anxiety of her husband about the thousand pounds; she knew that anxiety was increased by the letter he had received from the Prisoner, and which was silent on that subject; she knew that the main purpose of his visit to London was on account of the thousand pounds, and to procure this money to be paid, about which he became so much alarmed; and, therefore, when she came to London, she asked the Prisoner, Has the money which gave my husband a great deal of uneasiness in his latter moments, been paid? What is the answer? He tells the wife that the sum of 1000l. had been paid, and that Goom had promised to come to breakfast with Mr. Blight on the Tuesday morning, at eight o'clock, and that he came within five minutes after his appointment. Had this money ever been paid? No, it had not. Had it been demandable, could it have been enforced? No. Was there any such thing as a *bona fide* transaction? No. Must the Prisoner have known this? I answer yes. Why did he misrepresent the fact,

but that he might possess himself of the property of the man he had murdered, and tell the world he had paid the consideration-money? But this is not all; this would have entitled him to one-third of the property, and the profits of the trade under the articles of the 31st of August, 1805; but when Mr. Blight was removed from this scene, the Prisoner at the bar appears to have had another purpose, and to have intended to possess himself of the whole; and here you will find most important observations indeed, growing out of that never to be suspected source of evidence, namely, what the prisoner himself says; what he says upon consideration, what he says upon being warned, what he says when he knows his dearest interests are at stake, and when, unless he chuses to speak, he need not speak at all. Gentlemen, I stated to you the transaction of a letter, a bill of parcels, and a receipt; I spoke of three papers, the bill of parcels, enumerating the property; a receipt, purporting to be a receipt from Mr. Blight for £600 and odd pounds, as a consideration for the property contained in that bill of parcels; and there was besides, as I stated to you, a letter, in which he says, "the petition presented to the City of London, for a renewal of the lease, is going in in my name, but the lease will be yours." These papers were deposited with Mrs. Blight after she arrived in town, and when her husband was dead she found them in his dressing-room, in a tin case, as they had been delivered into her posession. They had been delivered to her for the express purpose of either being withdrawn from view, or presented to view, as the exigence of Mr. Blight's affairs might render necessary. If his creditors did not come upon him, they might be put into the fire; if they did, then it was to be no longer his property, but the property of Patch the prisoner.

Gentlemen, the Prisoner at the bar was examined before the Coroner; what he stated there I shall

not read to you, but pass it over, as I am aware my Lord will be of opinion, that as it was taken upon oath, I cannot make it legal evidence; but upon his return from the examination before the Coroner, he stated to Mrs. Blight that it would be necessary for him to be put in possession of those papers which her husband had formerly executed, and given her to keep; and he gave this reason, that he had been examined before the Coroner upon that subject, and had stated that it all belonged to him. *Stated that it all belonged to him!* Is that true? Did every thing belong to him? In some of the evidence, I believe you will find he stated that he had all the furniture too! This paper, which is put into my hand, contains an inventory of fixtures, and other things, bearing upon the face of it that it was a mere colourable transaction, certainly not a real transaction intended to be carried into execution; but he says, I have stated to the Coroner that all this is my property, and therefore—what? I must have my title deeds, I shall be questioned about this again. What are those title deeds? None that accompany a real transaction, which you know would be, as to moveable property, by a bill of sale, or something of more formality, and therefore it shews that it was a colourable transaction. He gets possession of these papers, and now he is proprietor of every thing upon the premises, and so he represents himself. Now you will recollect, I told you that all the money he had paid was 250l. and that the consideration of 1000l. still remained. You will find this man stating before the Magistrates that he began business on the 15th of July, 1805, on his own account; that at that time he became proprietor of all the property, that he had paid in different sums at different times 2600l. that the papers were delivered to him in the presence of Mrs. Blight; that she knew and was perfectly acquainted with it, and that it was all a real transaction. He states that

these papers had remained in his possession from the month of July, 1805; whereas I shall prove to you, that until the month of September they remained in the hands of Mrs. Blight, and that the representation he made to her, was in order to procure the papers and obtain possession of the property. In addition to this, he says, when he came to town he had above 1200l. that he lent it to Mr. Blight from time to time; which was not accounted for till this final settlement of the property took place. Now, Gentlemen, have I not stated to you sufficient to shew a motive operating, not upon a virtuous mind certainly, for if you were to offer the wealth of the Indies to a man of a virtuous and moral mind, he would spurn the offer, he would not embrue his hands in blood. If we are to wait till we find a virtuous mind capable of being corrupted, we may shut up our courts of justice, and put an end to all enquiry; but if you find this man, in the moment of pressure to pay a large sum of money, unable to provide for it, representing that it is paid, and afterwards stating to the representative and executrix of the deceased that it has been paid; if you find him at one time describing it to be a real transaction, and also at another time, that he had paid 1250l, do you not find a tissue of falsehoood upon all the subject? do you not find him in every way attempting to cast off the suspicion of guilt from himself, and to induce those who hear it to believe it was a real transaction. But, Gentlemen, we shall find other very important circumstances which the Prisoner afterwards represented upon this subject. I have told you that when Mr. Blight came to town he was anxious about this 1000l.; he pressed for the payment, and desired the Prisoner to take his horse and go to town, and he was not to return till he procured the money. The Prisoner has denied that he sent him upon any such errand; he does not deny that he went to town; he admits that he went to town; he admits that a

person of the name of Graham was present at the time—But what did he go about? Nothing of importance; he went to Mr. Gray to know if he had any other order to give for timber; and being questioned why he returned without the money, he said he had no such order. I will prove that he came to Mr. Blight, and asked him for his spurs; that Mr. Blight said, take care you do not return without the money; and he said, I will not return till I have settled it. Why did he deny this, if it be true, that this was a paper which Goom had lodged at the bankers for the purpose of keeping his account in countenance? Why did he present the draft that was to become due on the 16th, which he was obliged to withdraw, and return another which ought to have been paid on the 20th, and then send word it would not be paid? I should think that a bad way of keeping a banking account in good countenance. How happens it that he has been giving these different accounts of the transaction? This however, is the manner in which he describes it.

Now, Gentlemen, we shall pursue a little the demeanour of the Prisoner upon other subjects. You will find him thus contradicted by Mrs. Blight as to the possession of the paper, as to the payment of the consideration-money, as to the transaction with Goom, and as to his denial of going to London, by the desire of Mr. Blight, to obtain this money. You will find, Gentlemen, that whilst some of the witnesses were under examination before the Coroner, the Prisoner at the Bar, on whom no suspicion had at that time fallen, (so far from any charge having been made against him, he was examined upon his oath, which makes it impossible for me to read what he said) displays a degree of anxiety, which it will be for you to say whether you can reconcile with pure innocence; to me it seems impossible. You will find that Esther Kitchener was a most important witness before the Coroner; I ad-

mit, so far, any person might go to such a witness, and say, do not suffer yourself to be embarrassed; speak the truth: he might have said so much, and no more: but you will judge whether the conduct I am about to represent to you, will justify him as an innocent man. He says, Esther, you will be asked a great many questions; there is a great deal of whispering; there is a suspicion of me; take particular care of what you say; and then in a way that would be objectionable at the Bar, as what we call leading a witness, he says, you know I came to you for a candle. I shall tell the truth, says the girl. You know you heard me go out at the street door; you know you heard me unlock the counting-house door; you know you heard me slam the door of the privy, and instantly you saw the flash. Gentlemen, I can only say, that according to my view of things, and from my experience of mankind, this is a conversation which I cannot reconcile to innocence, or the consciousness of innocence. Why meddle with the Crown's witness at all? Why not leave her to the discreet examination of the Coroner? Why endeavour to fix in her mind the only circumstance which could raise a doubt? Why mark to her the precise moment of his being at the privy, rendering it impossible that he could be at the same time at the parlour? I do not mean to be uncharitable; you will have to say by and by whether these circumstances make the same impression upon your minds; but you will find, that not content with this, to his own sister he engages in a very extraordinary conversation. He says, Sarah, there are strange suspicions about me; you will be asked a great many questions; take care what you say: and upon another occasion, at the public-house, where Kitchener was waiting to be examined; desiring she might have wine given to her; and above all, to tell only one story. What two stories could this girl have to tell? She has but five or six sentences

to utter, if truth should be told. Why should he suspect she should bring him into a charge of guilt? If she was to tell the truth, (it is very short, God knows) her history would be soon told, and no difficulty in it: but you will find him, not only by himself, but by others, particularly careful to remove all suspicion from himself, by which means he raised it; and the last, though not the least observation that came from himself, is, that upon his return from one of the examinations before the Coroner, he stated, "*I believe I have been as near hanging myself as ever man was; and if I had, I should have been as happy as I am now.*" Gentlemen, there may be much or little importance in these observations; I find them in the depositions, and it is my duty to state them to you; you will make the observations that belong to them, and you will suffer them to make the impression they ought, and not to go beyond that which is due to them.

Gentlemen, we shall find the prisoner, in other circumstances, in contradiction to the fact, doing that which is extremely important. I stated to you, that no other person could have effected this murder, and have escaped. I do not enter into the detail why, I will shew you that presently, when I open the model, that the person who did it was under the necessity of getting rid of his pistol: if you ask me how the evidence proves it, I will state to you how the evidence does it: the evidence proves it by affording you this fact, that in the course of that evening, certainly the Prisoner at the bar had been without his shoes upon some part of the wharf, in the front of Mr. Blight's house, where he had picked up the dirt upon the stockings he wore, therefore it will be for you to say, if I shew that he did so—whether it is not proof, as much as can be expected in a case like the present, especially when you hear the account he gave of the stockings, that after he had committed the

murder, he ran out to the front of the wharf; that he threw his pistol into the Thames, and ran back to the door time enough for the girl to open the door for him. You will find the circumstance of the stockings extremely important. I believe it will be proved that the Prisoner was in the uniform habit of wearing boots, without exception. Kitchener will tell you this. Mr. Jones, the surgeon, who is well acquainted with him, will tell you this; and he will be proved to have had his boots on, because I told you that Mr. Graham heard him ask for the spurs. Had he his boots on at the time Mr. Blight was shot? I will ask the prisoner: at first he tells you he had his boots on, and it were well for him if it were so: he says he believes he had his boots on, he is not certain; he rather inclines to think he had his boots on; he had not his stockings and shoes on; he does not believe he had his stockings and shoes on; he is almost certain he had not his stockings and shoes on. I think I should not have great doubt about this, if I had been to London in my boots, and been in the habit of continuing them on afterwards, and pulled them off, not merely for the purpose of going to bed, but to put shoes on, to sit in; I think it is a thing one should not easily forget two or three days after. I will prove, that on the death-bed of Mr. Blight, after he received his death wound, the Prisoner at the Bar was beyond all doubt on the bed, not with boots, but with shoes on. Was there any thing remarkable about the stockings? Most remarkable. There are facts in this cause, any one of which seem to me to lead to the conclusion which I think you must come to, but which together seem to me to make such a body of evidence, that it is impossible to doubt upon it. The Prisoner has a pair of stockings produced to him before the Magistrate; he is asked, Are these your stockings? No, he does not think they are his stockings; he is almost certain they are not his

stockings ; his stockings are marked with a pen and ink ; he has no such mark upon his stockings ; but here is another general reason for being almost certain of it, he generally wore dark stockings, and he wore dark stockings on the day Mr. Blight died ; that he is sure of, and he had no white stockings, but two or three old pair, which he had not worn a great while, except upon Sundays. Now as Mr. Blight's death did not happen on a Sunday, that excludes his reason most completely. I will prove that he had on broad ribbed white stockings, such as to-day I will produce to you : it seems odd that a man should not be absolutely certain whether they are his or not. I will tell you where they were found, by an extremely intelligent Officer of Justice, Mr. Stafford—they were found by him in the sleeping-room of the Prisoner.—Found how ?—In the foul clothes-bag, twisted up to send to the washer-woman ? No ; all his linen had been sent to the washer-woman on the Monday ; it is, therefore, one would suppose, fair to presume, that every thing would be sent ; and if any thing is found at home, that it would be in a clean state. You will see these stockings ; you will find that the feet of them are plastered with that sort of mixed soil that is to be found on the wharf of Mr. Blight ; and they are curiously rolled up in the state in which the washer-woman sends home your stockings in pairs : those being presented to him, he says, he did not wear such on that day, he wore dark stockings ; above all, he is sure he never dirtied any of his stockings so much. Now, you will find, that the other part of the stockings are not in that state, and that these could not be brought into that state by any ordinary wear of them, but they would get into that state by a person passing softly in his stockings without his shoes, that he might not alarm his friend whom he meant to shoot, or the servant who was sitting within hearing of the sound of his foot. You will find they were

Explanation of the Situation of the House, with the Ground Plan of, and the References to, the different Rooms, Offices, Outhouses, Railings, &c.

1. Front Parlour, into which the first shot was fired.
2. Back do. in which Mr. Blight was shot.
3. Kitchen, from the window of which, Esther Kitchener jumped into the narrow passage behind the house, leading to the dock.
4. Entrance into the house.
5. Counting-house.
6. Privy, where the ramrod of the pistol was found; and the way from the privy to the back *parlour is described by a dotted line,* extending from 6 to *———B. Both the positions of Patch when he fired the first and second shots are marked by stars leading to————* 1 and a. * leading to *————B 2.; (the situation of Mr. Blight when shot, is marked B).
7. Cellar door.
8. Wicket gate opening to the dock.
9. Stone-mason's yard.

Both Nos. 10. Railings in the front of the house.

11. Outhouses.

N. B. The door from which the shot was fired, that mortally wounded Mr. Blight, opened inwards, with the hinges presenting themselves to the right hand; of course it was very easy for a left-handed person to have opened the door, and rest a pistol on the latch without the least exposure of his person.

in such a state as a pair of stockings would be, worn by a man without shoes, retiring from a deed of death, in order to get rid of the fatal instrument; and the murderer, in this case, would have such feet to his stockings, if he retired across the wharf, to throw the pistol into the Thames. But, Gentlemen, this is not all: you will easily suppose by what I have already said, I am not in a condition to produce any pistol to you to-day, because the observations I have made as to the tide, renders it impossible; but there is behind the most important evidence indeed, both as it is connected with the fact, and as it is connected with the demeanour, the conduct, and the conversation of the Prisoner at the Bar. It may, perhaps, Gentlemen, before I proceed to that fact, be useful, that I should now make you more intimately acquainted with the state of the premises than you are at present. You will look at this, *(pointing to the model)* with a view to see whether I am founded in any of these observations I have made as to the impossibility of any other person having committed this deed, and having escaped from the premises after they had committed it. You will find this model useful; it is made to a scale, and will be proved to be perfectly accurate by the person who made it. You will suppose, that the front of this board is the River Thames, where the vessels are lying for the purpose of being broke up. This is the wharf upon which I stated to you they are in the habit of breaking up these ships, and upon which there would be the mixed soil I have already observed upon. This is the small gate at the front of the house; and this the window, through which the ball was fired, on the night of the 19th; the prisoner being, as he represents himself, sitting in this, which I call the front room. Now, in order first to discuss that part of the subject which relates to the 19th, and which I will in a few sentences recapitulate, we shall see how any person could ac-

complish the object of firing in there, and could have escaped. These are the great gates of Mr. Blight's yard, and this is the small wicket. Here, you have the Thames, a considerable depth from the wharf; and here, a large crane, so situated, that if a shot had been fired from that part, the crane would have intercepted it; therefore it would be certain, without the least difficulty or doubt, that the person who fired the pistol on that night, stood close to that window when he did it, and that he rested it upon the frame of the window. What is to become of him? The girl is sent out for oysters, and the Prisoner only left at home, and there is, by possibility, no other way by which any man can escape but by those gates:—well, then, he is gone by those gates or he is not.—Now, unfortunately for the Prisoner, I shall call a man and his wife, who were standing there, who heard the explosion; and if any person had come out of those gates, they must have seen him. Let us see by what other mode he could have escaped; I will repeat, none could escape here, on account of the tide, and the state of the mud of the river. The premises are surrounded here by a close paling, with a palisade at top, not sufficiently strong to resist any of the Gentlemen to whom I am addressing myself; especially in the haste of a person attempting to escape; not sufficient even to bear the weight of a boy, and those remain perfectly unbroken to this time; therefore I think I may venture to say, any man who fired that pistol upon the 19th, unless he escaped by some other way, which the witnesses will exclude, could not have escaped: thence I infer, that the Prisoner was the man who fired the shot on 19th. Why did he do it?——

Lord Chief Baron. At which gate did the girl go out for the oysters?

Mr. Garrow. At the wicket.

Jury. What might be the height of the crane house?

Mr. Garrow. It is not a crane house, but a very large unwieldy crane, according to my recollection; what they call in the trade a gibbet, I understand; a large wooden crane.

Gentlemen, the question that has been put from your part of the Court, is most important; and, I am sure, put to us for the purpose of obtaining the greatest satisfaction possible; and we have no other object but to give you all the information in our power. I apprehend your object was to see whether this was such a house as that the murderer could have concealed himself; that I suppose to be your object in asking the question: it is not a house; it is a very large unwieldy crane, as it caught my eye, and it is quite impossible for any body off the wharf to have placed himself in a situation so as to command that window.

Jury. It seemed to us to require some explanation.

Mr. Garrow. Certainly; and we will enquire of the witnesses. I understand there is no such means of concealment. It is suggested to me by the Counsel for the Prisoner, and I am very glad, particularly in a case of this sort, that they do it; and they will do me the justice to believe I will give it all the effect that it warrants:—my Learned Friend desires me to state that there was lying about various parts of the yard, a large quantity of timber, I suppose, the produce of the breaking up of ships. The object of that is, to shew, that probably somebody might have concealed themselves among the timber. We will see, however, whether that could possibly afford any ground of defence to the prisoner. Here the scheme, consistently with the innocence of the Prisoner, you know, must be this; that somewhere in the place I now describe upon the model, the person who fired the pistol on the 19th, so that he could take an aim at the window, must have stood.—What be-

came of him?—The Prisoner at the Bar searched all the wharf himself for him, and there was nobody to be found. He himself stated, that he came out at this door; and he must have met him immediately, if he had come out this way: Wright and his wife must have seen the person if he had escaped that way.

Gentlemen, you heard the observation I made to you as to what the conduct of the Prisoner would have been if he had been persuaded this was an hostile shot. Mr. Wright, when he went into the room and saw the state of it, said, I think if you are of opinion this is meant for you or Mr. Blight, you ought to advertize it to-morrow morning, and go to the Police Offices; he did not, but he did that which would answer his purpose, he sent a private letter to Mr. Blight, which brought him to town and placed him in that unfortunate situation. I understand the Prisoner assented to the propriety of that representation, and said he would advertize it, with a reward of 50l. but we find he did no such thing. If any body asks me why should this shot be fired upon the 19th, which was not intended to injure any body—why was the maid servant sent out to give the opportunity? My answer is perfectly ready,—it was in order to prepare the way for that catastrophe that took place on the 23d; it was in order to generate a belief in the mind of the public that the mischief was intended for Mr. Blight; it was in order that the person whose own life was pretended to have been in hazard, might not be suspected when he put his plan into execution; he states that he had been shot at, and that part of one of the Venetian blinds struck him on the head: it was certainly for the purpose of making that requisition to Mr. Blight to come to town; it was to bring him to town at the moment when the 1250l. was demandable and not payable. I am stating this always laying it down as the fundamental principle, that the Prisoner is the guilty mur-

derer. But then it may be said we have had no experience upon this subject. I remember a case perfectly well (and I remember it the more from the impression this case has made upon me) where a person, the servant of Mr. Adam, a Gentleman we know very well in the neighbourhood of Barnet, stated he had kept off eight or ten people one night who wanted to rob the house, but that he shot at and wounded several of them; that the blood was traced, and so on. The only precaution I saw necessary was to write to Bow-street and desire that the man might be taken care of who had told this story; I saw clearly this was only to pave the way for the gardener robbing his master: he pretended he had made a strong resistance, but he went about it in so awkward a manner, that he shot himself, and confessed the fact afterwards; therefore, those who meditate deeds of darkness do lay their schemes and apparatus in such a way as it appears this firing on the 19th was laid. I have stated to you what was the situation of the premises on Thursday the 19th, and I will now, with your leave, examine what the state of them was at that more important period (if one period is more important than another), the period of Mr. Blight's death. The family had been accustomed to sit in this room, and one would suppose that if either Webster or John a Nokes or any body else had intended to shoot Mr. Blight, and expected that the firing on the Thursday would bring him to town, they would not have gone out of the way on the Monday when he was in town, which I will prove they did. It has been well said by a most eloquent Magistrate, that it is not the temper of the worst people in the worst of times to be guilty of deliberate assassination, but if a man is disposed to shoot another, where can he accomplish it better than in his own house; in our own houses we are most secure from any body who can invade us from abroad, and if a person is determined to take our lives, nothing but the pro-

tection of Providence can shield us from the assassin. Now I will suppose some guilty man intended to take the earliest opportunity of Mr. Blight's returning home to murder him in his own house—where would he attack him? I should suppose in the front parlour, because he must suppose him to be there. Gentlemen, we have given directions to light up this back parlour in which Mr. Blight was killed, to shut the shutters, and observe if any body could see who was there; but you may illuminate as much as you please, nobody can see through.

Lord Chief Baron.—Did you make the same experiment in the front parlour?

Mr. Garrow.—I believe I may venture to say, the same experiment might have been made with the same effect in the other room; they are close outside wooden shutters. What my Learned Friend says is true: they certainly would have seen upon the Monday whether there was any body in the room or not, because there being a shot-hole through the shutter, if there had been any light it would have been perceptible, and therefore I admit, that the murderer going there would not find the object of his attack in the front room; but how is he to find out where he is? I will grant to you, that he is not in the front room, he is in the back room. How is he to go to work? By coming here *(pointing to the model)* he has an opportunity of doing it; but how is he to do it, and escape instantly? Here is a large yard, belonging to Mr. Blight, with old timber and water pipes, and things of that sort, upon which a person might raise himself, fire in there, and instantly run away without the least difficulty; but here, to be sure, it is beyond all imagination, that sitting in his chair, as he was, it was possible he could hit him. He has the chance of two things, either to come out and fire a random shot, or to do that which the murderer did, come into the passage to the door of the room in which

Mr. Blight was sitting, most commodiously for the purpose of the assassin. I set one of the Gentlemen down in a chair; and if I had had the disposition and the means, I could have put him to death instantly with the greatest certainty at the first pull of the trigger. He was not farther from me than I am to you the Jury. If Mr. Patch is not the murderer, who is? Nobody will suspect Mr. Blight killed himself; it is not asserted that he killed himself; and nobody suspects Esther Kitchener of having done it. Now, let us see what he does before and after the murder. In the first place, he is to find his way upon this wharf; and at what season? At a season when his own act on the Thursday, which has failed, has created an alarm, not only in the minds of the inhabitants, but of all the surrounding neighbours; when, according to the ordinary precautions of mankind, he would have met with a warm reception, when they certainly would be armed, if they never were armed before; when they would be (to use an expression of the Prisoner) all the evening upon the alert. Is this the time when the enemy approaches? He must have some very fortunate occurrences to enable him to come. While my doors are shut he harms not me; he may fire his random shots all round my house, he cannot hit me; I am in a place the most secure; the Tower of London could not furnish me with a place more secure; but throw open my doors, and the murderer comes in without any check, (especially if he takes off his shoes, and steals gently along the passage) where he will find me in the arms of sleep, having been up all night, fatigued, and drinking my grog, in order to compose my to rest. When the doors were open, he could certainly go out of the house and throw away his pistol. But who could do this? None: but some man who, by the spirit of divination, knew what the occurrences of that night would be; no man who did not know

that Mr. Patch was disordered in his bowels; no man who did not know, that against all probabilities, he should leave his friend and go out, when one would suppose he would have contrived any thing, or made any shift rather than so have left him; but, above all, would he have gone out at this street-door without pulling it to? It was only troubling his friend, or the servant, to open it again. Would he have left the door open, and the gate too, as if he did it for the purpose of letting the murderer in, though he had been upon the alert, watching for those whom he expected to come; and, yet somehow or other it has happened, that if a stranger has murdered Mr. Blight, Mr. Patch has been the innocent cause of it; for he has given to the murderer the only means of access which he had to accomplish it; and he has this to do before he can take the fatal aim: he is to know that these doors would be left open against all probabilities; he is to know the precise hour when Patch would be coming out at night in order to take this circuit, at which time the shot was fired. Gentlemen, I have not described that circuit to you. Here *(pointing to the model)* is the parlour door; and here is the door he came out at, which falls to with a spring lock, and he goes on through the counting-house, passes along a store-house, and here he comes finally to the door of the privy.

Gentlemen, There is a circumstance in this case which I must mention to you: here is a door leading out of the kitchen to the privy, almost close to it. I asked how it happened that in this hour of alarm any person of that family wanting to go to the necessary house should have gone out at the street door through the counting-house, and so have taken this circuit, when they might in a moment have opened the kitchen door, and gone out immediately to the privy; but it is due to justice to say that that door-way was not open, it

was fast nailed up; another answer occurs, and if any body is disposed to criticise upon what passed upon that occasion, I wish the Court had been somewhat more select. I must speak of things as they are—I must not be hampered in this important cause by any false notions of delicacy. If those who chuse to be harmed by it will be here, they must put up with it. I will prove that Mr. Patch did not leave it a matter of doubt whether he was going to the counting-house upon any matter of business, but he declares to the servant-maid that he must take the candle, for he was going to the privy; that he was ill and disordered in his bowels: he might have said, take care, I want to go to the counting-house: certainly there would have been no more indelicacy in his going through the door in the kitchen, than going through the counting-house; but it was nailed up. I have said, under these circumstances, especially if Mr. Patch is to be believed, that he was disordered in his bowels, and had had occasion to visit that place more than once that day, and if it be true that when, as the Prisoner says, Mr. Blight went out to make water, he was so much upon the alert that he would not trust himself out without Patch accompanying him, I think it would be much more likely, and I think it is not too much to expect that the nails of that door would have been drawn, for they would have been very easily removed; but they were not. I do not, however desire to press that circumstance; perhaps it is being too critical. You are to suppose that previous to the murder the person is to know the exact time of Patch going to the privy, and what is to become of him, how is he to get away again? He has but one way, and that is to retire through the passage when he has taken his aim; to retire through this gate, and so on out upon the wharf. The maid-servant meets her master at the gate the

moment the ball enters his body;—she rushes past him, shuts the door, and Patch is knocking to come in. Where is the murderer now? Patch is come here *(pointing to the model)*; he has arrived here; he is knocking at the house-door, within half a minute of the time when the fatal ball entered Mr. Blight's body.—Where is the murderer? Did he see him?—He did not see him. Where did he go? He did not go that way, or Patch must have met him. Here, again, Gentlemen, is the interposition of Providence; these gates were locked; the small gate was made fast; the girl went to call Mr. Frost, and because she knew the gates were locked, and was afraid to open them, she got out at the window; and Mr. Frost will tell you that he was under the necessity of getting over the gate; that he got over, and went to the assistance of Mr. Blight. Did Frost see any body? No. What became of the murderer then? Why, there were five people there, one with a lighted link, and also a watchman: these persons will tell you that at the period Mr. Blight was murdered there was no person near the place, and that no one could have escaped from the premises that way.

Jury. How long had that door been fastened up?

Mr. Serjeant Best. Many months.

Mr. Garrow. I understand several months; I believe before Mrs. Patch came there: the Prisoner and his wife resided there some time. I should be very sorry to press any observation; we will take it that it was a door which they were completely out of the habit of using, and therefore perhaps that observation has not much in it.

Gentlemen, I take it the observations I have made to you on the coincidences (I was going to say fortunately, but I cannot say so upon a melancholy occasion like the present); but the coincidences of giving an opportunity of killing Mr.

Blight are worthy observation. If the murderer knew he was coming to town, the probability was his wife would come with him; but he takes the chance of waiting, and but for the looseness of Mr. Patch, might have been watching till the dead of night: but he comes, and fortunately for his purpose, finds Patch leaving all the doors open; but above all, most fortunately for him, at that time he finds this unfortunate man sitting there in a state of drowsiness, not even looking at the place from which he was to receive his mortal wound;—he shoots him and retires. Now, Gentlemen, there is one circumstance more of very considerable importance in this case:—I have shewn you the description of the privy; it is not a necessary house, properly so called, with a large cesspool, but it is a sort of make-shift privy, with a tunnel running down into the cellar. We have not found the pistol, but we have found the ramrod, which you will have no difficulty in saying is the ramrod that rammed down the charge which killed Mr. Blight. Where did we find it?—We found it in the tunnel of the privy. It is a great satisfaction to me that you wish for information upon every part of this important case; it shews the attention you pay to it, and you may ask, Do you mean you found a ramrod in the privy? A ramrod in a privy is a thing that might be found; but perhaps not very likely. But, Gentlemen, we find it under such circumstances that it is impossible it can be any other than that which was accessary to this deed of guilt. Recollect the Prisoner describes himself to have had a looseness; that he placed himself on the seat; that he had some relief; that he jumped up, holding his breeches in one hand, and the candle in the other; that he unlocked the counting-house door, and locked it again; that he got in somehow or other; and that he held up Mr. Blight with one

hand, while he was tucking his shirt into his breeches with the other, and so on. In this trunk is found the ramrod. In what state will you expect it to be found?—You will expect it to be found in a state not fit to be exhibited here. There was some wadding about it which was soiled. Was it with the soil indicative of the disease of a person who had recently frequented this place? No. (I make no apology for these observations, because they are necessary.) I shall call to you a nightman, who will tell you he examined this critically, that there was no appearance of any person having been recently there with a looseness; on the contrary, the soil was perfectly solid; that the worm of the ramrod was lying on the soil; that it was untouched by any thing from the human bowels in a state of looseness, or approaching towards it. You recollect the account the Prisoner gives is, that he was dreadfully distressed, that he could not wait a moment; that he tells the girl he must go to the privy; and he says he had been there many times in the course of that day. If you think I am too nice upon this part, you will dismiss it, and will not lay any stress upon it; but, that that was the ramrod that had rammed down the fatal charge you will entertain no doubt. Let us here see what was the conduct of the Prisoner on that subject. If a nightman had, in your presence or mine, (had we been drawn by curiosity to hear the testimony on this subject) stated he found the ramrod in Mr. Blight's privy, we should have said, perhaps, that is fortunate, because sometimes these little things elucidate important circumstances, and bring offenders to justice; some such observation might have escaped us; but the moment the Prisoner heard that the ramrod was found in Mr. Blight's Privy, you will find him saying, I have nothing to do with that, I did not

place it there.—Who had told him any body suspected he had placed it there? Who told him him there was any suspicion he was the murderer? Who had given him reason to believe that even the uncharitable world had pointed out the bosom friend, the companion, the person who was raised from a state of misery and distress to a state of affluence and comfort, by the man who was murdered? Who had told Mr. Patch, that even the censorious and uncharitable world had suspected him to be the murderer? It will be for you to say, whether it was not that secret monitor which every man possesses, and which now and then proclaims aloud the guilty purposes of the heart it inhabits, that suggested to him this was a damning proof of his guilt. You will recollect, if it was a stranger that loaded this pistol, if it was a stranger who had killed Mr. Blight, no stranger had the means of depositing the ramrod in that privy.

Gentlemen, these are the circumstances I have to lay before you; I may have omitted many of them in my statement to you. I have endeavoured as well as I could to state them clearly; but from the anxiety of my mind, I have no doubt I have omitted many. I do not lament it; and am rather pleased to suppose I should have omitted some, than that I should be found to press any thing that would not bear me out. Gentlemen, I again must express my gratitude for the manner in which you have been assembled here to-day. I am addressing persons who are aware of the great and important trusts they have upon them. I have stated this case too under the observation of that great learning and experience, which will point out and correct all my errors and defects. I told you that I only wished to make my address an index to the evidence; and I sit down, praying that the searcher of all hearts, to whom

all secrets are known, and from whom no secrets are hid, may enable you to discharge the painful and important duty cast upon you, so as to do justice between the Public and the Prisoner, to satisfy your consciences, and to support your own minds to the latest hour of your lives.

EVIDENCE FOR THE CROWN.

RICHARD FROST *sworn.—Examined by* Mr. COMMON SERJEANT.

Q. I believe you keep the public house, called the Dog and Duck, near the premises where the late Mr. Blight lived?—A. Yes.

Q. How far do you think that is from Mr. Blight's premises; how many yards, as near as you can guess?—A. About sixty yards.

Q. At what time on the Monday, when this unfortunate gentleman met with his death, did you receive any alarm; and from whom?—A. Between eight and nine o'clock in the evening, from Esther Kitchener.

Q. That was the servant of Mr. Blight.—A. Yes.

Q. In consequence of what she told you had happened at Mr. Blight's house, did you go directly to Mr. Blight's premises?—A. Yes.

Q. How did you attempt to enter?—A. I came to the gate, and found it fast.

Q. Does this represent the gate? *(pointing to the model.)*—A. Yes; those gates were fast.

Q. The two gates were fast?—A. Yes.

Q. Did you try the wicket?—A. No.

Q. How did you go in?—A. I got over the gate.

Q. Did you then make towards the door that opens on to the wharf?—A. Yes.

Q. The first door?—A. Yes.

Q. Did you find that open?—A. I cannot charge my memory whether it was open or shut.

Q. When you went in, who did you find in the house; and in what state did you find Mr. Blight?—A. I found Mr. Blight sitting in an arm chair, on the left hand side of the fire-place.

Q. Was that in the front-room or the back-room?—A. The back-room.

Q. You were acquainted with the room that had been shot at some time before?—A. Yes.

Q. Was it that room, or the back-room?—A. The back-room.

Q. The back-parlour?—A. Yes; next to the alley.

Q. Was any body with him at that time?—*A.* I saw Mr. Patch standing in the room.

Q. Was any other person in the room?—A. I did not, to my knowledge, see any body else.

Q. In what state was Mr. Blight then?—A. He was sitting in the chair, supporting himself by his two hands. I went up to him; but the words that passed I do not exactly recollect; I did not stop more than a minute or two, before Mr. Patch asked me if I would fetch Mr. Jones, Mr. Blight's surgeon.

Lord Chief Baron. Q. He asked you to go for Mr. Jones, did he?—A. Yes.

Mr. Common Serjeant. Q. Did you stay with him till he died?—A. Yes; part of the time, I was not all the while with Mr. Blight.

Q. When did he die?—I think it was seven or eight minutes, either before three or after three, I don't know which, the next day.

Q. On the Tuesday?—A. Yes.

Q. You found him wounded, and he died the next day?—A. Yes.

Mr. Garrow. We propose, as thinking it most convenient, if the gentlemen on the other side have

no objection, not to go on with this witness at present; we shall certainly call him again.

Mr. Serjeant Best. We can get at what we want by other witnesses.

Cross-examined by Mr. Serjeant BEST.

Q. You was fetched by Esther Kitchener.—A. Yes.

Q. When you came, you found Mr. Patch standing in the room, assisting the deceased? A. I did not see him near Mr. Blight.

Q. He was in the room with Mr. Blight?—A. Yes.

Mr. ASHLEY COOPER, *sworn.—Examined by Mr.* CONST.

Q. You was called in, I understand, soon after Mr. Blight was wounded? A. About three hours after.

Q. State the situation in which you found him, and what passed while you was with him? A. I found him lying upon the floor of the room, which, I understood was called the back-parlour. Mr. Jones, the surgeon, who had brought me there, just pointed out the wounds which were existing upon his body; but in the crowded state in which the room was, and he lying upon the floor in a very inconvenient way for examination, I desired he might be carried up stairs to bed.

Q. That was done for him? A. This was done, and then finding still the room much crowded, I ordered every person from the room, except Mr. Jones, the surgeon, who called me there, Mr. Younger, a surgeon at Rotherhithe, Patch, the Prisoner at the Bar, and a Mr. Ferguson.

Lord Chief Baron. Q. Who was he? A. Ferguson, I understood, was a friend of the deceased.

Mr. Garrow. One of the executors.

Witness. I then examined into the state of the wounds; I found that there was one wound on the fore-part of the body, about two inches from the navel, and that on the right side; another wound in the loins on the same side: the anterior of these wounds, that nearer the navel, having the common character of a gun-shot wound, of a body having entered with great velocity. Upon examining those wounds with attention, I saw the contents of the bowels passing from each of them out of each wound, and as his body was already considerably distended and inflated, I pronounced the wound to be mortal, recommended a light dressing upon it, and that he should be kept as free from pain as possible by opiates.

Q. You stayed some time, I understand, in the house?—A. I stayed until the next morning about seven o'clock.

Q. Did you then see the deceased?—A. Yes, very soon after that, I was satisfied at seeing the nature of the wound; finding it was mortal, it naturally struck me it was my duty to enquire as far as it was in my power as to the person who had committed the act, and that, of the person who had suffered the wound.

Q. Was this in the presence of the prisoner?—A. Yes, in the presence of Patch, and in the presence of Mr. Ferguson, I said to Mr. Blight, is there any person whom you suspect to have committed this act? His answer was, "No, God knows, I never did any man an injury which could lead him to wish to take my life; but," he added "Mr. Patch has mentioned to me a man of the name of Webster." I then turned to Patch, not wishing to press any unnecessary questions upon the deceased, I turned to Patch, and said, Who is this Webster? He answered, he is a man who was suspected of having robbed these premises, against whom a

search-warrant was granted, and his house was searched, and his son has since absconded.

Q. Had you any further conversation?—A. Upon this, my Lord, I said, surely then you should send immediately to Bow-street, to have officers down; his premises should be again searched: to which Patch answered, "No, for nothing would be found, and if nothing was found I should certainly be shot."

Lord Chief Baron. Q. Speaking of himself?—A. Speaking of himself, I should certainly be shot, or words to that effect; I shall certainly be shot, or they will certainly shoot me, which of those expressions I don't know.

Mr. Const. Q. Do you recollect any thing else material?—A. With respect to the will; after a time, my Lord, it was suggested to me that Mr. Blight's affairs were not settled; I went to Mr. Blight's bed-side and in as tender a way as I could, represented to him that his situation was not entirely divested of danger, and that, if his affairs were not settled, he ought now to arrange them. He said I have a draft of a will but it is not signed, and indeed, I wish some alterations to be made in it. I said then, if the will is brought, I will make what alterations you suggest. The will was brought, as far as I recollect, by Patch; he went out of the room to fetch the will. I then said, now Sir what alterations do you wish to be made? He answered, I wish Mr. Richard Patch, and Mr. Robert Ferguson to be added, as executors to the name of Mr. Hugin; I introduced those names into the will, added the plural for the singular throughout the will, and then wrote, that the interlineations were made by Mr. Blight's will and consent: it was handed to Mr. Blight, who was just able to sign the will. He objected to the effort at first, but at last, he made the effort: he took the pen very unsteadily, and with great difficulty he

signed the will; I then went to bed, and at about six, or half-past six o'clock, or scarcely so much, the next morning, Patch came to the door, knocked at it, and said, Mr. Blight is in great pain, Sir, and is anxious to know whether you can do nothing to save him. I answered, I am afraid it is impossible, but I will rise immediately; I rose and went into the room; I found Mr. Blight in a great deal of pain, and restless, his belly very much swollen; he told me he had slept an hour and a half during the night, but was then in a great deal of pain.

Q. You left the house soon after, I believe?—A. Soon after this I went to London, under a promise of coming about three or four o'clock in the afternoon; I had made a promise to go and bring a physician with me.

Lord Chief Baron. Q. Did you go?—A. Yes; rather before four, Dr. Babbington and myself went down to Mr. Blight's house, and we found he had been dead about three-quarters of an hour.

Mr. Const. Q. You afterwards, I believe, opened the body and examined it?—A. I opened the body.

Q. For form sake, I will ask you whether you conceive the wounds he received, and which you have described, werethe cause of his death?—A. Undoubtedly they were.

Q. Nothing more particular passed?—A. It may be proper to add, undoubtedly the wounds were the cause of his death, as his bowels were very much cut in three different places.

Q. It is not very important to ask, but I believe the will was deposited with somebody by your desire?—A. Just as I was about to leave the house, I was induced to say to Mr. Patch, it was right that the will that I had, in some degree, a hand in making, should be deposited in safe custody, and therefore will you give it to me. Patch immediately

took it from his pocket, and gave it into my hand: it was sealed.

Lord Chief Baron. Q. The prisoner took it out of his pocket?—A. The prisoner pulled it out of his pocket, my Lord; it was sealed, and deposited in the hands of a person, whose name I understood was Brent.

Cross-examined by Mr. GURNEY.

Q. At what period was that when you asked for the will, and he gave it you?—A. About half-past four, or from that to five o'clock.

Q. That was on the 19th?—A. It was the day of Mr. Blight's death.

Q. Within an hour or two after Mr. Blight's death?—Yes.

Q. The day before the examination before the Coroner?—A. Yes. *(One of the Jury)* Q. Who was present in the room at the time that he slept an hour and a half?—A. It is impossible for me to say, because I was sleeping myself.

Q. Was there any body?—A. That is a thing I cannot speak to; if I heard it, I had it only from report.

Lord Chief Baron. Q. Was the prisoner present so long as you were present in the course of the night.—A. He was.

Miss ANN LOUISA DAVIES *sworn.—Examined by Mr.* POOLEY.

Q. Do you know where Mr. Blight lived?—A. Yes.

Q. On the 19th of September last were you coming by his premises?—A. Yes.

Q. At what time?—A. Between eight and nine o'clock.

Q. Was it dark or light?—A. Dark.

Q. Do you know the gates of Mr. Blight's premises?—A. Yes.

Q. Do you recollect when you came opposite the gates of those premises any thing being done that attracted your attention?—A. It was beyond there.

Q. After you got by the gate towards the Dog and Duck?—A. Yes.

Q. How far was that?—A. Towards the corner of the alley.

Mr. Garrow. You will see that better by the plan, because that part is not laid down upon the model. Gentlemen, I have just put this which will assist his Lordship and you, I have covered so much of the paper plan as is upon the model; this is the lane which this young lady is going to speak to—where she was.

Mr. Pooley. You were going from Deptford to Rotherhithe.—Yes.

Mr. KINNARD *called.*

Mr. Garrow. Q. Upon what scale have you made the model of your plan.—A. I did not make it.

Q. It was done under your direction?—A. Yes.

Q. To what scale was it made?—A. I don't know exactly.

Q. Who made it?—A. Mr. Cadogan.

Mr. CADOGAN *called.*

Mr. Garrow. Q. What scale did you make this to?—A. I think a quarter of an inch.

Q. To what?—A. To a foot.

Mr. Pooley. Q. (*To Miss Davies.*) You say you had got beyond the gate to the alley, had you got as far as there appears to be a bend in the model?—I could just see the gate.

Mr. Garrow. At this bend she could just see the gate.

Mr. Pooley. Q. Was any one in company with you? A. My sister, and a lady, and her servant.

Q. When you came into that situation, what did you see?—A. I saw the flash of a pistol, and directly heard a very violent report.

Q Could you tell, from the situation in which you were, where that pistol had been fired?—A. It appeared upon my right hand, on Mr. Blight's wharf.

Q. Could you form any opinion from what part of the wharf the pistol was fired from what you saw?—A. No.

Q. Did you stand still in consequence of hearing the pistol.—A. Yes.

Q. How long did you continue standing still?—A. About two minutes.

Q. While you were standing still did you observe or see, or hear any body upon the wharf?—A. No.

Q. Were you in such a situation that if any body had got over the pales after the pistol had been fired that you must have seen them?—A. On that side of the house I should.

Q. From the gate on that side of the pales you must have seen them?—A. Yes.

Q. Did any body get over the pales?—A. No, I saw no one.

Q. Your attention was directed that way; you should have seen them if they had, and no one did?—A. No one did.

Q. Did you hear any noise in Mr. Blight's house?—A. No.

Q. Did you hear any door shut or open?—A. No, I did not.

Q. Did you hear any thing, as if any body was moving about the house?—A. I dont think I could hear it.

Q. You were not quite near enough to have heard if there had?—A. No.

Q. Then, when you went from the place where you was standing, did you meet any body?—A. No.

Q. You went on towards Rotherhithe?—A. Yes.

Q. That is from towards Mr. Blight's?—A. Yes.

Q. Did you stop when you came to the Dog and Duck?—A. No; I saw some men there, but did not stop.

Q. That is a public-house?—A. Yes.

Q. That is the house at which Mr. Frost lives?—A. Yes.

Q. After you heard this firing, and were standing still for about two minutes, did you observe any body come from Mr. Blight's house on to the wharf?—A. No.

Mr. Serjeant Best. I have not a question to trouble you with.

Miss MARTHA ELIZABETH DAVIES *sworn.—Examined by Mr.* CONST.

Q. You are the sister of the last witness?—A. Yes.

Q. You was with her on the 12th of September?—A. Yes.

Q. Do you remember hearing a pistol fired at the time you passed Mr. Blight's?—Yes.

Q. Did you hear any body at that time stirring upon his premises, or any body coming from them?—A. No, I did not.

Q. Was you so situated, that if any person had been passing from them you must have seen them?—A. Yes.

MICHAEL WRIGHT *sworn.—Examined by Mr.* COMMON SERJEANT.

Q. Where do you live?—A. In Russel-street, Rotherhithe, Greenland Dock.

Q. Were you returning from Deptford on the night of the 19th September, the Thursday?—A. Yes.

Q. About what hour?—A. I suppose it might be as much as eight, or ten minutes past eight o'clock; much about that time, I suppose.

Q. Had you occasion to go past Mr. Blight's house and yard?—A. Yes; I could not go without going round the road.

Q. You went by there?—A. I went by there.

Q. Tell us what happened at that time?—A. As I was coming along, it may be about sixty or seventy yards from the gate.

Q. Do you mean sixty or seventy yards before you come to Mr. Blight's yard?—A. Before I came to the yard.

Q. As you was going from Deptford towards Rotherhithe?—A. Yes; between sixty and seventy yards, as nigh as I could compute it.

Q. What did you observe then?—A. There was a man laid rather intoxicated with liquor, as near as I could tell, and I said to him, My friend, you had better get up and go home. It looked very dark, as if it would rain by and by; he was lying under an elder tree; I saw a man with a lanthorn going along, and he said he had been speaking to him two or three times and he would not get up; and while I was standing talking there I heard the report of a gun or a pistol.

Q. From what spot did you suppose the report to come?—A. That I cannot be answerable for.

Q. How long after you had heard the report did you see any body about Mr. Blight's premises?—A. I did not see any body till I came up to the gate, and then I saw Mr. Patch standing at the gate.

Q. What passed then between you and Mr. Patch?—A. Mr. Patch asked if I saw any one running down between the alleys, or rather met any body was the word, I believe.

Q. If there had been any person running from the direction of the gate towards you, must you have met with them?—A. I must have met with them.

Q. And you say you saw no one?—A. I saw none.

Q. What then was said by Mr. Patch to you, or by you to Mr. Patch?—A. He begged I would step in with him, for somebody had fired at him, or he had been fired at, one of the two, I cannot say which; I said, I hope not; he said then, I wish you would step in till the servant returns.

Q. Did you step in with him?—A. Yes, I went in with him.

Q. What passed then?—A. He said, I will fetch a candle, and shew you where the ball went through; he took a candle, and I saw a hole through the shutter and likewise through the lower part of the window-frame.

Q. Did he take you inside to see it?—A. I cannot recollect whether I went inside or outside, but I saw, by the reflection of the light, a hole through the lower part of the window frame and through the shutter.

Q. You saw that the ball had gone through the shutter?—A. Yes. apparently to me nothing else could have done it.

Q. What passed then?—A. I took a candle to look about for the ball; I thought, perhaps, I might find it on the opposite side of the room.

Q. This was on the inside of the room?—A. Yes; I took a candle to see if the ball had forced the wall or wainscoting; I could not find it; and while I was looking, in came the girl with some oysters.

Q. By the girl, you mean Esther Kitchener?—A. Yes.

Q. When the girl came in with the oysters was there any more search made?—A. Mr. Patch then

said to the girl, I have been fired at Esther, or shot at, since you have been out; and after she came in, I again took the candle and looked about for the ball, and whether I put the candle down, or whether she took it from my hand, I don't know; but she was about three or four feet from the window apparently to me, and she picked up a ball; I took it from her hand, to the best of my recollection, and it looked to me to be a half circle; it appeared as if it had been flattened against something.

Q. As if it had struck against something?—A. Yes, but it was not above four feet from the window, so that I should suppose it must have been cut; but the ball did not appear to me to be above a half circle.

Q. Upon the ball appearing to be cut, did you say any thing to Mr. Patch?—A. I did not make any remark concerning it to my knowledge; I cannot say.

Q. What further passed between you?—A. We withdrew into another parlour, just after that, I think, and I asked Mr. Patch if I should fetch any body to come and sleep in the house with him as that night, for I thought it was very alarming.

Q. What did he say to that?—A. He said I need not give myself any trouble, or that he was much obliged to me, or something of that kind; he did not accept the offer.

Q. Did you mention to him where you thought the shot might have come from.—A. Yes, I did mention to him a little while after, that perhaps it might be a shot fired from some police boat, after a boat with some smuggled goods, or something of that kind in.

Q. What did Mr. Patch say to that?—A. He said no, he did not think that was the case; was that so, he should be content in his mind, and he should think no more of it; he should be satisfied that there would not be any more fear of any thing.

Q. What further did he say about it?—A. I said that if I was him, I would advertise it by handbills, the next morning, and likewise in the public papers.

Q. What answer did Patch make to that?—A. You may depend upon that, says he, and I will bid 50l. reward.

Q. I want to know, when Patch said if there had been any thing from the water he should hear no more of it, did he suggest who it might be?—A. No, only by me observing that it might be a random shot.

Q. Was any thing said to Patch at that time as to where the family sat of an evening, in what room, or any thing about it?—A. Yes, there was something, but I cannot clearly recollect, nor could I at the time I was before Mr. Graham; I was at the house some time; a great deal passed; I do not recollect any more than that Mr. Blight had gone down to Margate that morning, that he was not well, that he had sent for oysters, and intended to go to bed soon that night.

Q. Did you see Frost the publican there that evening?—A. I fetched Mr. Frost myself.

Q. What passed between Mr. Patch and Mr. Frost when he came in?—A. I cannot recollect justly.

Q. Did Mr. Frost make him any offer, or any proposal?—A. Yes, I asked Mr. Patch if he had any fire-arms in the house; and he said he had a pair of pistols that cost five guineas; I said they must be very good ones at that price, but he said he had not got any ammunition in the house.

Q. After he said he had no ammunition did any body say any thing to him?—A. Mr. Frost said he would supply him with some.

Q. What did the Prisoner say to that offer?—A. I cannot recollect whether he seemed to accept of it or not; for there were no candles in the house, and they went out I understood with an intention of

getting some candles, and some ammunition; the servant girl, Mr. Patch, Mr. Frost, myself and my wife, all came out of the parlour together.

Q. Did you leave him with Frost?—A. I did.

Lord Chief Baron. Q. Did the Prisoner go with you?—A. The Prisoner, Esther Kitchener, Frost, my wife and myself, we all went out together, the Prisoner and all.

Mr. Garrow. Q. Is that all you know of this business?—Yes, pretty nigh, as well as I can recollect.

Cross-examined by Mr. Serjeant BEST.

Q. I understand you to say you was near the watch-box when you heard the pistol?—A. Yes.

Q. That was on the Deptford side of the house?—A. I do not know whether it is Deptford Parish or Rotherhithe.

Q. The Deptford side of the house?—A. Yes.

Q. How many yards from the house?—A. Between sixty and seventy yards from the gate.

Q. Did you pass on immediately from the watch-box to the gate?—A. Yes, immediately after the pistol was fired.

Q. How long would you be getting from the watch-box to the gate?—A. I might be half a minute, or rather better; but very little better than that.

Q. I believe you have always said it could not be more than half a minute to the Magistrate?—A. I believe I did.

Q. When you came there you found the gate open, and Mr. Patch standing at the gate?—A. Yes, I did.

Q. You knew these premises very well?—A. Not very well, it was the first time I ever was in the house.

Q. But you know the roads near the house, do you not?—A. Yes, perfectly well.

Q. There is a road, as you come out from the gate, to the left, which goes to Deptford?—A. Yes.

Q. There is another to the right, that goes to Rotherhithe?—A. Yes.

Q. And one facing the gate, which went up by the side of the canal?—A. Yes.

Q. Give me leave to ask you, the road that faces the gate, immediately leads into the public road, does it not?—A. Yes, I believe it does.

Q. There were no houses upon that road?—A. No, not till you come to the lower part.

Q. Not till you come to the public road?—A. No.

Q. Which is two or three hundred yards, is it not?—A. I cannot say exactly the length of it; I know at the bottom of the lane there is a small house built there.

Q. Upon seeing Mr. Patch, you went with him into the house, did you not?—A. Yes, immediately.

Q. You went in and turned round by the door into the house?—A. Yes.

Q. Where you continued for a time, several minutes at least?—A. Yes.

Q. Half an hour?—A. More than that.

Q. In the house?—A. Yes.

Mr. Garrow. Q. There is, as the learned Serjeant has observed, upon coming out of the gates, a lane leading on to Deptford?—A. Yes.

Q. The other way leads to Rotherhithe?—A. Yes.

Q. There is a timber bridge over the end of the mast pond?—A. Yes, that is the road that leads to the right.

Q. It is considerably up here, *(pointing to the plan)* where this house is building?—A. No, it has been built some time.

Q. You mean the house where there is a large board up to Mr. Blight's-gate?—A. Yes, it is.

Q. That lane is a considerable distance from the gate?—A. Yes, carriages cannot get up.

Q. Opposite Mr. Blight's gate a carriage must stop hereabout, and here is the board up to Mr. Blight's premises?—A. Yes.

Q. Suppose any body had run out of the gates here, at the end of the broken road, which is very bad at present, must not any body at this angle, this bend of the lane, have seen them?—A. I cannot rightly say whether they might or not.

Q. You know this bend of the lane?—A. Yes.

Q. Suppose a person to be standing at this bend, and a person came out of Mr. Blight's gate, would not the person standing here have seen him if he had run along; is it not near enough to see them, and to hear them too?

Mr. Serjeant Best. In a dark night?—A. I am sure I cannot say whether I could, or could not see a person if I was standing in that particular place, I never took that notice.

One of the Jury. Q. You have said you observed that perhaps it was a random shot fired from a police boat; how could you imagine it was a shot from a police boat when the wharf is so high?—A. I did not consider the state of the tide at that time.

Q. You have said that he had a pair of pistols which cost five guineas?—A. Yes.

RICHARD FROST *called again, and Examined by Mr.* COMMON SERJEANT.

Q. Were you fetched by the last witness, Wright, on the night of Thursday, the 19th of September, before Mr. Blight was killed?—A. Yes.

Q. When you came to Mr. Blight's premises, did you see Mr. Patch there?—A. Yes.

Q. Now tell us what passed between you and Mr. Patch?—A. When I went into the parlour I saw Mr. Patch standing there.

Q. Was that the front parlour?—A. The front parlour next the water.

Q. What was Mr. Patch saying or doing at that time?—A. I asked Mr. Patch what was the matter? He said he was sitting in a chair close by the table; and was shot at; I asked him what he thought of it, or where he could think it came from? He said he did not know; I asked him if he suspected any body? He said no; I asked him if he had any fire-arms in the house? He said yes; but they were of no use for he had no ammunition. I told him I would give him powder, and endeavour to find him a ball. While we were talking, Esther Kitchener came in and said, Mr. Patch, there are no candles; Mr. Patch made answer and said, Mr. Frost will lend you some. We came out of the room, Mr. Patch, Esther Kitchener, and me and Mr. Wright, and Mrs. Wright.

Lord Chief Baron.—Q. That was all that were in the house?—A. Yes, my Lord, he came out and shut the door, and came into my house.

Mr. Common Serjeant.—What passed when they came to your house?—A. I asked Mr. Patch if he would accept of the powder and ball; he said, never mind, he would go home and go to bed, for the villains would come no more to-night; and he went out, and Esther Kitchener with him; I heard no more then.

Q. You told us, that on the 23d, the Monday, you got over the fence?—A. Yes.

Q. You have told us all you know of that evening;—A. Yes.

WILLIAM KINNAIRD *sworn, examined by Mr.* GARROW.

Q. You are a surveyor by profession, I understand?—A. I am a pupil of Mr. Dewey's.

Q. Was this plan prepared by you, or under

your direction ?—A. Yes; I took it myself, and drew it myself.

Q. From an actual survey of the premises ?—A. Yes.

Q. Is it correct ?—A. Yes.

Q. You have seen this model ?—A. Yes.

Q. Does it represent the premises ?—A. It appears to me to be perfectly correct.

Q. Explain it to the Jury; this is meant to represent the extremity of Mr. Blight's premises ?—A. Yes.

Q. Of course at the extremity of that there is the River Thames ?—A. Yes, certainly.

Q. The wharf extends on here to a paved court, which is enclosed with a wicket gate like this ?—A. It is.

Q. Having passed the wicket gate, you come to the house, which is here; the front door is here, and what we call the front parlour, here ?—A. Yes.

Q. And this is the place where the pistol shot was first fired ?—A. Yes.

Q. So close, that the pistol might have been rested upon the frame of the shutter ?—A. It is about two inches and a half above the sill.

Q. Then any one might have rested the muzzle of the pistol upon it, and it has gone through close to the bottom of the lower pane ?—A. Yes.

Q. In passing along the passage, you leave that room on the right hand, and pass into the back room ?—A. Yes.

Q. That is accurately described ?—A. Yes.

Q. Then there is a window which comes on upon the wharf, another window looking to Deptford, and another into a timber-yard ?—A. Yes.

Q. Opposite this back parlour is the kitchen ?—A. Yes, it is.

Q. And here is the dresser, close to the kitchen door ?—A. Yes.

Q. Coming out from the back parlour, if you had occasion to go to the privy you must go through the counting-house across here, to the lumber-room, and so on to the privy; that is the course you must take ?—A. Yes.

Q. You observe the frame here, on this side of the yard ?—A. Yes.

Q. Is that a close paling ?—A. Yes.

Q. Supposing any person to escape, they must get over the close fence ?—A. Yes.

Jury.—Q. Was there no other way to the necessary but that, since the door was nailed up?

Mr. Garrow.—No; when the door was nailed up, there was no other way.

Q. If any body was to escape here, they must get over, or through the gateway ?—A. Yes.

Q. Suppose any person was to do so, does not that angle where you heard Miss Davies describe herself to be, give you a view of the whole, to the corner of the house ?—A. Yes, it does.

Q. Have you observed the fence close to the side of the stone-yard :—A. Yes.

Q. A close paling and slight pallisades, that would yield to the smallest force ?—A. Yes, and it was not broken.

Q. Supposing a person placed here (*pointing to the model*) who wants to get away, the only means he has of escape is, he must either get into the mud here, or over the pales, or over the pallisades ?—A. Yes.

Jury.—Q. What is the height of the pallisades ?—A. Nine feet, six.

Mr. Garrow.—Q. This fence is represented here as much more substantial than in fact it is; if any body was to attempt to get over here, would it not give way ?—A. I think it would give way.

Cross-examined by Mr. GURNEY.

Q. Within this paling, on the inside, which you describe to be about six feet high, there was likewise a quantity of ship-timber, that had been broken up?—A. Yes, there was, when I saw it.

Q. Is this paling six feet high, or five feet six?—A. In some parts I should suppose six feet, in other parts not five feet six.

Lord Chief Baron.—Q. Which prevails the most?—A. I cannot exactly say; I think I should rather say five feet six.

Mr. Gurney.—Q. And there are other rails, as there must be, to support a paling, which are called arras rails, against which the rails are nailed?—A. Yes.

Q. The only incorrectness in the model (as I have seen the place) appears to me to be this: it describes the gates to have no inner rails. Are there not within the gates at Mr. Blight's three rails, consisting of three square bars, one near the top, another near the bottom, and the other very near the middle?—A. There are two gates.

Q. I am speaking not merely of the wicket, but of these great gates; are there not three cross rails, which are not the usual arras rails, which are not three-cornered, but half-square bars, that furnish a step for any person to get over?—A. I did not observe it.

Q. Could there be any difficulty in any person from the inside getting over this paling in half a minute?—A. I cannot say.

Mr. Garrow.—It was certainly much easier to get out than get in; a person intending to get out there, might certainly do so, by getting upon the bars.

Q. There can be no doubt that any body can get over a five or six feet fence; but supposing

that to have been performed, and the two Miss Davies's standing there, had they not a command of that spot?—A. Not if they were quite close to the fence, because there was an angle; but if they were walking between the fence and the space, certainly I think they would see any person.

Q. Suppose any person to have effected their escape here to have got over the fence, and Miss Davies to be here, and other persons here, must they not be in view on both sides?—A. Yes; but there was a lane opposite.

Mr. Gurney.—Q. Do you mean to say this positively?—A. It might be possible.

Mr. Gurney.—It must depend upon the degree of light.

Mr. Garrow—All vision must depend upon light.

Mr. Gurney.—Q. Is it not very easy for a person to pass from these gates to the private road, without being seen by persons ten yards off?—A. I think they might.

Mr. Garrow.—Q. What is the depth from the margin of the wharf down to the mud, at low water?—A. I did not measure that.

Q. Is it considerable?—A. I should suppose it is five feet, I did not measure.

Q. You do not know the state of the mud?—A. No.

Q. (*to Frost*) What is the depth from the edge of the wharf down to the mud, at low water, at Mr. Blight's house?—A. More than five feet, I should think it is nigher ten feet.

Q. What is the state of the mud when you have got to it; is it hard sand?—A. No, very loose; a person might sink up to his middle.

Q. It is mud in which a man would sink?—A. Yes, quite a clay mud.

ESTHER KITCHENER *sworn.—Examined by Mr.* GARROW.

Q. Did you live in the service of the late Mr. Blight?—A. Yes.

Q. How long did you live there?—A. About two months.

Q. The family consisted of your master and mistress, yourself, and who else?—A. Mr. Patch boarded there, and one child.

Q. Whose child?—A. The child of Mr. Patch, the other was at a boarding-school; there was one child at home, and the other was at a boarding-school.

Lord Chief Baron.—Q. An infant child?—A. No.

Q. How old is it?—A. About seven years old.

Mr. Garrow.—It was not at home at any of the times we are speaking of.

Q. Do you remember the circumstance of your mistress going to Margate?—A. She went on Sunday morning.

Q. Did she leave your master at home?—A. No; she took my master with her.

Q. Did he go to Margate at that time?—A. Yes.

Q. Did he go twice from home?—A. Yes.

Q. Then he went with your mistress and returned home again?—A. Yes.

Q. Do you remember your master going from home again upon Thursday, the 19th September?—A. Yes.

Q. Who was left at home when he went from home at that time?—A. Myself, Mr. Patch went with him in the morning when he was to go to the coach.

Q. But returned in the course of the day?—A. In the morning.

Q. Nothing material happened till the evening, I understand?—A. No.

Q. Which room in the house did the family use to sit in in the evening?—A. In the room facing the water.

Q. Did they do so constantly during all the time you was in the service?—A. About a week before that they used to sit in the back parlour; and after that they used to sit in the other parlour facing the water.

Q. Will you agree with us in calling the room next the water the front room; we have agreed to call it so. Where did they sit when you first went into their service?—A. In the room facing the lane, next the road.

Q. That is the room in which your master was killed?—A. Yes.

Q. How long had they altered that practice?—A. About a week after I went, and then they altered it.

Q. For seven weeks before your master was killed they sat in the front room?—A. Yes.

Q. In the evening of that day when your master went the second time to Margate, there was nobody in the house but you and Patch?—A. No.

Q. In what room did he sit?—A. In the front parlour.

Q. Where was you?—A. In the kitchen till I was sent out.

Q. When was it you had any orders to go out?—A. To fetch some oysters.

Q. About what time?—A. About eight o'clock, I don't know exactly.

Q. Patch sent you out for some oysters?—A. Yes.

Q. You left him in the front room?—A. Yes.

Q. How long do you think you might be gone?—A. I cannot exactly say, it might be about nine or ten minutes, I returned as quick as I could.

Q. How far had you to go?—A. As far as Grove-street.

Q. Was that distant three, four, or five times the length of this room?—A. Not above twice the length of this room; it might be more for what I know.

Q. You went as quick as you could; had you your oysters opened?—A. No.

Q. You got your sixpenny-worth of oysters unopened, and returned as quick as you could?—A. Yes.

Q. Where was Patch, what did he say to you?—A. He was standing talking to a man and woman in the yard.

Q. Whereabouts?—A. Near the window.

Q. Was he near the gate or near the house?—A. near the window.

Q. Did you afterwards learn whether it was Wright and his wife?—A. Yes.

Q. You know them now?—A. Yes.

Q. When you came up and found him talking with Wright and wife near the window, what passed?—A. He said, is that you, Esther, I have been shot at: I said, Lord have mercy upon me, shot at! Whereabouts? and he pointed and said through the window there.

Q. Had you left the shutters of all the windows of that front room closed and fastened when you went out for the oysters?—A. Yes.

Lord Chief Baron.—Q. What time of day did you shut them up?—A. At dusk.

Q. What hour of the day?—A. I cannot say exactly the time, we had no watch or clock in the house.

Mr. Garrow. Q. Did you shut them at the usual time, or was it earlier or later than usual?—A. Earlier; Mr. Patch said he was very poorly,

he should go to bed early, and desired me to shut the windows.

Q. They were all outside wooden shutters?—A. Yes.

Q. He pointed to the window, and said he had been shot at there; did any thing more pass?—A. I cannot say; we went in and sent for Mr. Frost.

Q. Who proposed sending for Mr. Frost?—A. Mr. Patch.

Q. Leaving you, and Patch and Wright's wife in the house?—A. Yes.

Q. When Mr. Frost came, what passed?—A. I cannot rightly tell what passed; but we went to look for the shot, and were a good while before we found it; at last I found it underneath the window.

Q. Underneath which window?—A. The window it had been shot at, and come through.

Q. State what was done and said upon that occasion?—A. I cannot rightly recollect what was said?

Q. Tell us what you do recollect?—A. I cannot recollect much more.

Q. Were there any observations made by any body upon this transaction about the shot?—A. No; not that I know of particularly, except they said it was a shocking thing.

Q. Who said it was?—A. They all said so, and they wondered what it could be for.

Q. What did Patch say to that?—A. I cannot say exactly; he said he did not know he had an enemy in the world, or Mr. Blight.

Q. Did any body ask him whether he suspected any body?—A. I believe so; but I don't know what answer he made, because I did not stop long.

Q. You have told me, he said they had no enemies, that he knew of?—A. That they knew of,

Q. Did any body offer to stay with Mr. Patch that night?—A. Not that I know of.

Q. If any thing of that sort passed, you did not hear it?—A. No.

Q. Was any thing said about fire-arms?—A. Not in my hearing.

Q. What became of you after the conversation in the parlour.—A. I was in the kitchen.

Q. Where did you go afterwards?—A. I went to Mr. Frost to get a candle, because we had no candles in the house.

Q. Did you all go, and leave the house without any body in it?—A. Yes; I was afraid to go by myself, and we all went.

Q. Was any search made to see if any body was concealed upon the premises?—A. Not that night that I know of.

Q. You went to Frost's; was there any observations at Frost's about fire-arms or ammunition?—A. Not that I heard.

Q. You got your candle and returned?—A. Yes.

Q. Mr. Patch used to sleep in an apartment over the counting house to which you went through the lumber-room?—A. Yes.

Q. Did he sleep there that night?—A. No; he slept in Mr. Blight's bed that night.

Q. Why?—A. Because I was afraid of sleeping in the house by myself.

Q. He slept in Mr. Blight's bed for your protection?—A. Yes.

Q. How soon after this did your master come home from Margate?—A. On Monday.

Q. What time did he arrive?—A. About seven o'clock in the morning.

Q. Mr. Patch was at home?—Yes.

Q. Did you hear any conversation between them?—A. No.

Q. Do you know whether Mr. Patch went to London that day, the day your master came home?

—A. Yes; he went out that afternoon after my master came home; my master went out in the morning after breakfast, and then Patch went out.

Q. Did he go on horseback?—A. Yes.

Q. Had Mr. Blight gone out on horseback?—A. Yes.

Q. He came back, and then the prisoner had his horse?—A. Yes.

Q. Did you see whether he had boots and spurs when he went out on horseback?—Yes.

Q. Did the Prisoner usually wear boots?—A. Yes.

Q. After he returned, did you see him in the course of that afternoon and evening before your master was shot?—A. Yes; he was along with my master.

Q. I believe you carried them in tea?—Yes.

Q. Which room did they sit in; that even with the room where the first shot had been fired, or not.—A. In the back room.

Q. In the room in which for the last seven weeks the family had not been accustomed to sit?—A. Yes.

Q. How was Patch dressed in the course of that evening, with regard to boots or shoes?—A. He had shoes on, I remember.

Q. What coloured stockings had he on?—A. White stockings.

Q. Did you make any observation upon them, whether they were ribbed or plain?—A. No; I cannot say I did.

Q. In the evening of the Monday, were the premises made fast as usual with regard to the gates, and all the outer premises?—A. Yes; the gates were shut in the usual way.

Q. When the people left work, I suppose?—A. Yes.

Q. Have you any doubt that Mr. Patch in the evening when you carried in tea, had white stock-

ings and shoes, and not boots.—Yes; he had white stockings and shoes.

Q. You are sure of that?—A. I am sure he had in the course of the evening.

Q. Before your master was shot?—A. Yes; before my master was shot.

Q. That you are sure of?—A. Yes.

Q. Your front door opens into a paved court, does it not?—A. Yes.

Q. Does that door shut by a spring-lock which you pull back with your hand.—A. Yes.

Q. So that it shuts to if you pull it, and nobody can open it from without, without a key?—A. Yes.

Q. After Patch and your master drank tea, did you take away the tea-things?—A. Yes

Q. Had they any other refreshment afterwards?—A. Yes; they had some grog afterwards.

Q. Still sitting in the back-room?—A. Yes.

Q. You was in the kitchen?—A. Yes.

Q. The kitchen door is very nearly opposite to the door of that parlour, is it not?—A. Yes.

Q. The partition is opposite the door, so that you could not see into the parlour?—A. No; I was sitting by the fire-side.

Q. And therefore could not see the parlour-door?—A. No; I could not.

Q. How soon after they had begun drinking their grog, did you see Patch in the kitchen?—A. I cannot say how long it was; in a few minutes he came and asked me for a candle.

Q. Did you carry in the grog, or did they make it themselves?—A. They made it themselves; I carried in the water.

Q. How long after did he ask for a candle?—A. I cannot rightly say how long it was.

Q. How long do you think?—A. It might be about half an hour.

Q. Then he came from the parlour, where your master was, to you, in the kitchen?—A. Yes.

Q. What did he say to you?—A. He asked me for a candle.

Q. As nearly as you can, give his exact words?—A. He said, Esther give me a candle, I have got a violent pain in my bowels.

Q. What more did he say?—A. I gave him a candle, and he took the key of the counting-house off the dresser; he went out at the door; I heard him go and open the counting-house door; I heard the counting-house door open, and I heard him slam the counting-house door after him, and I heard him walk across the counting-house very quick.

Lord Chief Baron. When the door of the counting-house slams to, does it lock?—A. No; sometimes the lock comes back, that it sticks without locking.

Mr. Garrow. If you throw it hard it shuts to, it binds and sticks without locking?—A. Yes, it does.

Q. You are speaking of the counting-house door on the wharf?—A. Yes: I heard him go across the counting-house very quick; I heard him step into the privy, and I heard the privy door slam to.

Q. Have you observed whether, if you open that privy door, and don't slam it, whether it stands open or falls to?—A. I never took that observation.

Q. However, you heard it slam to?—A. Yes; and the instant I heard that privy-door slam to, I heard the report of the pistol; my master came into the kitchen to me, and before I could get out of the kitchen, he came up to the dresser in the kitchen, and putting his hand upon his wound, said, "Esther, I am a dead man."

Q. What did you do upon this?—A. I said, Lord have mercy, I hope not, Sir! I screamed out violently, and shut the door.

Q. Do you mean the street-door?—A. Yes.

Q. In what state did you find it, when you came to it?—A. Open.

Q. Wide open?—A. Yes.

Q. The door leading into the paved court?—A. Yes, I shut it; I was returning from it, and got about half way to the back-parlour, as you call it, I heard a violent knock at the door.

Q. Is it further to where you had got from the door than from you to me?—A. No.

Q. By the time you had got that distance from the street-door, you heard a violent knocking?—A. Yes.

Q. You have a large brass knocker?—A. Yes.

Q. Did you proceed to your master, whom you had left in the kitchen, or did you return to the door?—A. I returned to the door.

Q. Who did you find at the door?—A. Mr. Patch; his small clothes were all unbuttoned when he came in.

Q. What coloured small-clothes had he on?—A. Light coloured.

Q. You are sure of that?—A. Yes.

Mr. Garrow. Gentlemen, you will find that material, for a reason which I did not state.

Q. He must have been holding them with one hand, I suppose?—A. I don't know, I cannot rightly tell.

Q. They were not about his heels?—No.

Q. Then he must have held them?—A. I cannot tell whether he held them, or no, but they were unbuttoned.

Q. He came, I take it for granted, to your master in the kitchen?—A. Yes; he said, Lord have mercy upon me! Mr. Blight what is the

matter? I said my master is shot, my master is shot; with that we helped my master into the parlour.

Q. Was any body else there?—A. No.

Q. Into the parlour where he had been sitting when he was shot?—A. Yes.

Q. What light was there, one candle or two?—A. I cannot recollect; in general we had two.

Q. Do you recollect whether when they had tea or grog they had two?—A. I cannot say.

Q. But they usually had two?—A. Yes.

Q. You two assisted your master into that room?—A. Yes; and then Mr. Patch told me to go and fetch some assistance; I said I was afraid to go; he said, take hold of Mr. Blight's hand, and I will go.

Q. Upon his proposing to go, what did you do?—A. I said no, you shall not go, I am afraid to be left alone; if I go I will jump out of the window.

Q. You jumped out of the kitchen window?—A. I did; I hurt myself upon the side.

Q. You went to Mr. Frost's?—A. Yes; I went to Mr. Frost's, and brought him with me.

Q. You returned with him?—A. Yes.

Q. How did Mr. Frost get in?—A. He jumped over the gates.

Q. Did you see any body in the course of your going to Mr. Frost's or returning?—A. I did not see any body.

Q. Did you hear the conversation that passed after Mr. Frost came?—A. No.

Q. Your master was laid upon a bed, and a surgeon was sent for?—A. Yes.

Q. He went to his bed and died?—A. Yes; the next day.

Q. Then there was a Coroner's Jury summoned?—A. Yes.

Q. And you was examined before the Coroner's Jury?—A. Yes.

Q. Was every body admitted to that examination, or was you examined privately?—A. Privately.

Q. Had Patch any conversation with you about what you knew of this transaction?—A. He said he did not know what was the matter; he did not know what to make of the people; there were strange ideas; and I was to speak the truth and nothing but the truth.

Q. What day was this first conversation; how soon after your master died that he spoke of the strange ideas that people had?—A. I believe the night before the Coroner sat.

Q. Your master died in the night between the Monday and the Tuesday?—A. He died on the Tuesday afternoon about three o'clock.

Q. Did the Coroner's Jury sit the next day?—A. On Wednesday.

Q. Then it was before you had been before the Coroner that he said this to you?—A. Yes.

Q. He was at large at that time, and was examined as a witness before the Coroner?—A. Yes.

Q. Nobody had been taken into custody at that time?—A. Not that I know of.

Q. He was at large, carrying on the business, and in care of the house?—A. Yes.

Q. What more did he say about those strange ideas; was any thing more said?—A. Not at that time.

Q. After you had been before the Coroner do you remember his saying any thing more?—A. Nothing particular.

Q. Never mind whether it was particular or not?—A. I don't recollect any thing else.

Q. Not at that time?—A. No.

Q. Be so good as recollect yourself: do you remember your mother and Charles Stonard; Charles

is the foreman, is not he?—A. No, one of the workmen.

Q. Do you remember when your mother and Stonard were present when Patch interrogated you what you knew of this?—A. I dont recollect any thing more that he said.

Q. Recollect yourself; had you any conversation about his going to the privy?—A. Not that I know of; I don't recollect any more.

Q. Do you recollect being in the same room with him when your mother and Stonard were present?—A. Yes, in the kitchen.

Q. Was that after you had been examined before the Coroner?—A. Yes.

Q. Do you remember any conversation about your examination before the Coroner, if you knew any thing about the particular circumstances?—A. I dont recollect any thing more.

Lord Chief Baron. Q. Was there any talk about what had passed before the Coroner?—A. No.

Mr. Garrow. Had you at any time any conversation with him about the circumstance that accompanied your master's death?—A. No, not that I know of; not that I recollect.

Q. Do you happen to know, either of your own knowledge, or from Mr. Patch, whether he had been several times in the course of that day to the privy?—A. No, not that I know of before.

Q. Do you know whether, in the course of the evening, your master had gone without for any purpose, to make water, or any thing of that sort?—A. Mr. Patch and my master went out just before both together.

Q. You know that of your own knowledge?—A. Yes.

Q. Where did they go to?—A. Only in the court, like, just without.

Q. For what purpose?—A. I don't know; I cannot say.

Q. They were gone a short time?—A. Yes.

Q Was it such an absence as might be occasioned by what I alluded to, by a person going out to make water.—A. Yes.

Q. How long had they gone out together before Mr. Patch came for a candle, to go to the privy?—A. A good while.

Q. What do you mean by a good while?—A. I had taken in the water for the grog in that time.

Q. You thought they just went into the court, and returned again?—A. Yes.

Q. How long was it before Mr. Patch fetched the candle?—A. I suppose about half an hour, but we had no clock.

Mr. Serjeant Best.—We have no questions to ask.

Lord Chief Baron.—Is there any other privy belonging to these premises than that which you have been speaking of?—A. There is no other in the house, I never saw any other.

Q. Did you ever before hear any persons going backwards and forwards when they had occasion to go to the privy?—A. One can't help it, you must hear them.

Q. You must hear both doors shut?—Yes.

Jury.—She has said all the doors and shutters were fastened that evening very early, I wish to ask how she knows that?—A. I fastened them myself.

Lord Chief Baron.—Was there no other servant in the house?—A. No.

CHRISTOPHER MORGAN *sworn. Examined by Mr.* COMMON SERJEANT.

Q. I believe you live in Grove Lane, Deptford?—A. Yes.

Q. Were you passing by Mr. Blight's premises on the night he met with the fatal accident?—A.

I believe about twenty minutes before nine I was passing the premises.

Q. Did you hear of what happened?—A. Not till I came to the gate; when I came to the gate there were two lads.

Q. Never mind the particulars; did you receive information of what happened?—A. Yes.

Q. Was any body with you at that time?—A. Mr. Berry.

Q. Did you go to Mr. Blight's door?—A. I immediately went in with my friend, and knocked at the door.

Q. Your friend Mr. Berry?—A. Yes; the servant said, who is there?

Q. Do you mean Esther Kitchener?—A. Esther Kitchener, by her voice; I said here is a friend wishes to render assistance.

Q. When you were admitted, will you tell us what you observed?—A. I saw Mr. Patch advancing from the parlour door where Mr. Blight was.

Q. As you were a neighbour, had you known Mr. Patch before?—A. I had seen him; but never spoke to him, to my knowledge: Mr. Patch began to relate the circumstance of the death of Mr. Blight.

Q. That he was mortally wounded, Mr. Blight was not dead at that time?—A. No; I told him I thought no time should be lost in searching the premises; I asked him for a light; he ordered the servant to give me one; he followed me to the door with a lighted candle in his hand, pointing to an old vessel, saying, you had better search that first.

Q. In going towards the vessel, when you got to the edge of the wharf, did you find it practicable to get from the edge of the wharf to the vessel?—A. The vessel was sixteen feet from the wharf, and no access whatever to it could be had.

Q. Was the water out?—A. It was low water.

Q. Was the mud deep at that time?—A. I proposed going to see if any body had gone by the water, consequently we examined to see if the mud had been broke; because if any body had gone that way, they must have plunged into the mud, and it would have shewn it.

Q. You examined the whole length of the wharf?—A. Yes; it appeared like a sheet of ice or water, or something of that sort; it did not appear to be in the least disturbed.

Q. Was it possible for any person to have made his escape that way?—A. I am convinced it was impossible for any body to go that way; we then searched over the premises.

Lord Chief Baron.—Q. Who are "we," you and the prisoner?—A. No; me and Mr. Berry.

Mr. Common Serjeant.—Q. Was Mr. Patch with you at the time? A. No; I should observe, when he came to the door and pointed to the vessel, he left coming with us, and I did not notice where he went.

Q. Was the wharf at that time clean or dirty?

Witness. Do you mean the yard?

Mr. Common Serjeant. Yes.

Witness. I did not take notice.

Q. Had it been fair or raining?—A. I believe it had been raining, to the best of my recollection; it was dirty; we then searched the out-buildings and over the yard, and in the cellar under the house; after we had searched the premises we returned into the house.

Q. Did you discover the traces of any body having been there?—A. We could not discover that any body had been there upon the premises.

Q. Then you returned into the house?—A. Then we returned into the house, and I saw Mr. Blight was laid upon a bed in the parlour; I then addressed myself to Mr. Blight;

Q. Where was Mr. Patch at this time?—A. He was in the house.

Q. Was he by Mr. Blight?—A. He was in the house, by Mr. Blight at the time. I should observe, I heard the maid say, speaking of the circumstance—

Lord Chief Baron. Was the prisoner by at that time?—A. He was in the room; this was the time I went in; she was standing at the door.

Q. Was it within his hearing?—A. He must have been within hearing, but I don't know whether he heard it or not; I cannot say she was in the room where he was; she was at the door of the small room, speaking of Mr. Blight being shot, and stating that Mr. Blight immediately sprung to the kitchen; says she, I was much agitated and alarmed, and went out at the window to call Mr. Frost; I then turned from her and went to Mr. Blight's bed.

Mr. Common Serjeant. Tell us what you said to Mr. Blight, in the hearing of Patch?—A. I said to Mr. Blight, Sir, in the awful situation in which you are, it is necessary for the sake of public justice, for the sake of punishing the person who has done so horrid an act, that you should collect your thoughts, that some measures may be taken for the purpose of apprehending the persons who have done it; I pressed it to Mr. Blight, whether he had offended any of his work people, as he had a number of the lower order at times who had worked for him; or whether in the course of his connection in trade, he had a right to suspect any body owed him a grudge or ill-will? He told me no. I then repeated the question to Mr. Patch, as he was lying on his face, reaching over the bed to hold a bottle to Mr. Blight's nose; he was in that attitude the greater part of the time that I was talking to him.

Q. What said Mr. Patch to that?—A. I begged Mr. Patch to commission me to go to Bow-street: he told me he did not see the necessity; he thought

it was of no use. I told him an enquiry so early as that would be of infinite consequence; I repeated it three or four times, stating that he himself was in the same danger that Mr. Blight was, as he had been shot at, the Thursday before.

Q. It had been known in the neighbourhood that something had happened the Thursday preceding? —A. I had heard of it.

Q. It was a common report?—A. Yes, I had heard of it. Mr. Patch then took me into the front parlour to shew me the manner in which he was shot at himself, and the manner in which he was sitting: he said, he sat at the table with his head on his hand, and, according to the direction the ball must have taken, it must have come within six inches of his head; Mr. Patch declared that was the seat Mr. Blight was accustomed to sit in; and he had no doubt the shot was intended for him, and not for himself; we then returned into the parlour where Mr. Blight was: Mr. Patch said that he had had a pain in his bowels; had found it necessary to go out, and said to Mr. Blight, I must go to the privy, but I don't like to leave you: he then said he went out, and left the parlour door and the fore door open. I told him I thought it was wrong to leave a man unprotected, without fire-arms or any protection, while he himself was gone: he said, he did not think any harm, he did not see any danger. I then asked him again to commission me to go to Bow-street; I told him I was certain there must be a cause; for that human nature was not so depraved that one man would shoot another without a cause. He then turned to me and said; he had as much right to suspect me as any man. I then, after advising him to apply for some assistance in order to discover it, came away, as soon as I found my services were not accepted.

Lord Chief Baron. You advised him to have some enquiry made, did you?—A. Yes.

Mr. Common Serjeant. Q. Before Mr. Patch told you he had gone out and left the door open, had he or Mr. Blight mentioned that they had any suspicion of a visit that night?—A. Yes, they had; Mr. Patch told me they had been upon the alert or upon the look-out all the evening; for that they expected a visit of this kind, and they had been on the wharf but a few minutes before.

Q. Was it in consequence of that that you observed to Mr. Patch it was wrong to leave the doors open?—A. In consequence of Mr. Blight being shot, and in consequence of his telling me they had been upon the alert; he had stated to me he expected it was for Mr. Blight, and not for himself, prior to that, when he was shewing me the hole that was made when he said he was shot at himself.

Mr. Gurney. I have no question to ask.

JAMES BERRY *sworn.—Examined by Mr.* POOLEY.

Q. On the 23d of September, in the evening, were you in company with Mr. Morgan?—A. Yes, I was.

Q. Near the premises of Mr. Blight?—A. Yes; I went from my own house with him.

Q. You live near Mr. Blight's?—A. Yes.

Q. When you came there what took place?—A. We were going down to Mr. Morgan's house at Deptford, and as we were going through the alleys we saw two boys standing by the gates.

Q. In consequence of what they said to you, you went to Mr. Blight's premises?—A. Exactly so.

Lord Chief Baron. Q. You had heard what had happened?—A. Yes.

Mr. Pooley. Q. When you went to Mr. Blight's premises what did you do?—A. We went directly up to the door; Mr. Morgan knocked; the servant came to the door and said, Who is there? Mr. Morgan said, a friend, or two friends: he asked

her if she wanted assistance? She replied no, she wanted none; Mr. Morgan, in reply, said, it is a very extraordinary thing we cannot be admitted upon such an occasion; I insist upon coming in. While he was speaking in that way, Mr. Patch came up to the door, and he immediately opened the door, as near as I can recollect; and I think the first thing he said to Mr. Morgan was, What a shocking thing this is that has taken place.

Q. Patch said that?—A. Yes, as well as I recollect: Mr. Morgan said, it is not time to talk about that now; shall I go and search the premises for you? He said, I will be very much obliged to you if you will; if you will take that trouble I will thank you kindly. I slipped in by Mr. Patch, and went into the room where Mr. Blight sat in the chair; I looked in, just saw him, and came out again instantly; by that time Mr. Patch had got a candle and lanthorn, or the servant, I cannot say which, in order to give to Mr. Morgan, for him to go and search the premises. Mr. Patch then said to Mr. Morgan, now I think the best way for you to proceed will be to go on board the vessel lying there, breaking up: then he said, on the Thursday night that the pistol was fired off, we thought we heard a rumbling in the vessel, which induces me to tell you to go that way. We then were about to proceed to the vessel, and Mr. Patch, the instant we were upon the start to go to the vessel, took a candle and candlestick and went to a very remote part of the yard by himself.

Q. Tell us, from this model, what part of the yard he went to?—A. He turned round to the right, in front of the house, and went up to that corner.

Q. That is next the Stone Mason's yard?—A. Yes; I lost sight of him for about half a minute, but I kept looking about to see if I could see him; I thought it an extraordinary circumstance, and that

he was a very resolute man to go about in that manner.

Lord Chief Baron. Q. You thought it rash of him?—A. Yes, I thought it rash: he was gone about a minute and an half; then he returned and went into the house, and took no notice of any of us.

Q. After he went into the house, did you then endeavour to search in the vessel at the head of the wharf?—A. Yes, directly; Mr. Morgan was rather a-head of me; I came up to him instantly, and as near as I can calculate, the vessel lay about fourteen or sixteen feet from the wharf, with her heel off.

Lord Chief Baron. Q. The ebb tide would necessarily carry her so?—A. Yes.

Mr. Pogley. Q. Could you get from the wharf to the vessel?—A. No, not without hazard of getting into the mud, and it was impossible for a man to get up; there was mud between the vessel and the wharf about fifteen feet wide: there was a board, but it was so muddy that nobody could get upon it; it appeared not safe for any body to go on board.

Q. Could you tell whether any body had been upon the mud?—A. We looked down, and there appeared to be no sign of any body having been there: if any person escaped that way he must have dropped down from the top of the wharf and have gone into the mud.

Q. How far might it be from the wharf to the mud?—A. I suppose about fifteen or sixteen feet, but I never measured it; it appears to be about the height of that lion from the ground. (*Pointing to the King's Arms over the Judge's seat.*)

Q. Do you know how many feet the tide rises?—A. I cannot say.

Q. After you had examined the vessel and found nobody could get there, what else did you do?—

A. We went round the premises and looked into different parts.

Q. From the position in which the vessel was at low water, could any person in the vessel, have fired so that the ball would have entered that window upon the wharf?—A. It is impossible; they could not do it I am sure, at least that is my opinion.

Q. Standing in the vessel, could they have fired so as to make a mark in the window shutter?—A. Not, in my judgment.

Q. How high is the window shutter from the ground?—A. It appears about three or four feet from where the ball was.

Q. How high is the mark in the window shutter from the ground?

Mr. Garrow. Q. Do you think it is higher than your waistband?—A. It appears to me to be somewhere thereabouts, and the situation of the vessel is ten or twelve feet below the level of the wharf.

Mr. Pooley. Q. If any person had been on board the vessel, would not he be below the level of the window?—A. Not, that I could see; very little however; indeed, I almost forget whether the decks of the ship were in or out; it does not appear to me they could hit the window, because she lay catoring in this manner.

Lord Chief Baron. Q. What induces you to say the window could not be hit?—A. It appears to me I could not do it myself if I was to try.

Q. Does the vessel lay so much aslant?—A. Yes.

Mr Pooley. Q. Was the ship any thing in this position with regard to the bow window? (*aslant*)—A. She lay a little matter so.

Q. Here is the vessel: (*shewing a plan*) Is it possible for a person in a vessel in this position to fire into this window?—A. I do not think it is,

not directly, it might to give it a small touch, but not to go through it in that manner.

Q. From the hole in the shutter, did the ball appear to come from this direction, or this? (*Sideways*). —A. Something like that.

Mr. Garrow. Let the shutter be brought in, and that will speak for five thousand witnesses.

Mr. Pooley. Q. After you made this observation, as to the vessel at the wharf, did you then see Patch again.—A. Yes.

Q. Where?—A. I went into the house, and there I saw Mr. Patch.

Q. In what room?—A. Along with Mr. Blight; Mr. Morgan was there.

Q. State what passed then?—A. I did not take particular observation; I was terrified; I did not pay attention sufficient to answer any questions put to me.

Cross examined by Mr. Serjeant BEST.

Q. It was a considerable time after the shot had been fired before you searched the yard?—A. It appeared to me about a quarter of an hour or twenty minutes before we began the search; we were early on the premises

Q. How did you get into the yard?—A. There were two boys standing at the gate, and the gate was on the latch.

Lord Chief Baron. Q. How did you find the outer gate.—A. The outer gate was on the latch, it was not latched or so fastened but you might get in.

Mr. Garrow. Q. There had been several people before you came?—A. There had been one or two I believe.

JOHN PRING *Sworn.—Examined by* MR. GARROW.

Q. You have a shutter there?—A. Yes. (*Produces it.*)

Q, Where did you get it from?—A. From Mr. Blight's yard.

Q. Did you take it down yourself?—A. No.
Q. Did you see it taken down?—A. No.

CHARLES STONARD *Sworn, Examined by* MR. GARROW.

Q. Was you a labourer employed by the late Mr. Blight?—A. Yes.

Q. What time did you leave your labour on the night of the 19th, when the first shot was fired?—A. I did not take notice of the day of the month that it was fired.

Q. You remember hearing of the circumstance that a shot had been fired?—Yes.

Q. You was not on the premises?—A. No.

Q. How many hours before had you left your labour.—A. At six o'clock in the evening.

Q. Who let you out when you left the premises?—A. Mr. Patch.

Q. Did he fasten the gates up that night, and make the premises secure?—A. That I don't know; I went out the same as other people did.

Q. Mr. Patch was there?—A. He was there that night.

Q. How soon afterwards did you hear that any thing had happened? Did you hear it in the course of the evening?—A. No; not till the next morning.

Q. Who informed you of it the next morning?—A. I heard our people talking of it in the yard.

Q. Had you any conversation with Mr. Patch?—A. No; I heard Mr. Patch telling the people of it as he went through the yard.

Q. Did you see the mark of the ball?—A. Yes; as I went past the shutter, I saw the place the ball made in the shutter; I saw the hole.

Q. Is that the shutter taken down by my direction?—A. Yes.

Q. Is this the sash through which the ball passed?—A. Yes.

Q. Can you state to my Lord and the Jury, what height from the ground this is when it is in its proper place?—A. About two feet nine inches.

Q. Hold up the shutter, and shew the corresponding hole with that in the sash. (*the shutter held up.*)

Mr. Garrow. Gentlemen, that is the outside of the shutter.

Jury. The glass was broke, I presume.

Mr. Garrow. Q. This is a new pane of glass, is it not?—A. Yes; both of them.

Q. Do you remember what the state of the tide was about eight o'clock in the evening of that day, when you heard the pistol ball had been fired through the window?—A. I don't know, I was not there.

Q. You can tell what the state of the tide was, without being there; was it low water at the time.—A. Yes.

Q. Supposing this to describe the edge of the wharf, where you put your timber at low water; how far would a man have to drop who should let himself down from this edge to the mud?—A. About twelve feet.

Q. What would he have to receive him when he arrived at the bottom?—A. The mud.

Q. Is it hard mud or soft?—A. Just close to the edge it is not above your shoes.

Q. Suppose you wanted to get away, how would it be then?—A. You could not get away, because the mud would be above your middle; nobody could get that way.

Q. So that it was impossible to escape that way?—A. Yes; it was impossible for any body to go that way.

Q. Had you, at that time, a vessel in the act of breaking up alongside the wharf?—A. Yes.

Q. Do you know whether her decks were in or not?—A. I cannot say that the decks were in, nor

can I say they were not; I don't recollect. I think they were not.

Q. Do you think they were in or out?—A. Only the beams; I know the decks were off.

Q. (*Pointing to the model.*) This is meant to represent the window through which the ball passed: how did the vessel lie with regard to that window; did it lie more towards the stone-mason's?—A. Yes; it laid more to the stone-mason's yard.

Q. That is more that way than towards Mr. Frost's?—A. Yes.

Q. Could any person placing himself on board that vessel, and firing up the wharf, have fired in at the window through the shutter and sash.?—A. No; not as the vessel lay.

Q. How many feet is it across the wharf?—A. About twelve yards.

Q. Suppose I had a mind to stand down below, under the wharf, and fire at this window, do you think it possible to take an aim, so as to hit the bottom of the sill?—A. No; if you was below the front of the wharf, you must fire high up the house.

Q. The elevation must be very high?—A. Yes; a great height indeed.

Q. You have a large crane likewise here?—A. Yes.

Q. How does that crane stand with regard to this window through which the shot passed?—A. It stands quite contrary to the window; it is between the two ships.

Q. I am speaking of the other crane: is there not a crane next to Frost's?—A. Yes.

Q. Is it in this position, or how? have you a crane by the mast pond?—A. Yes.

Q. Suppose I was to go upon the river, could I take an aim from the river at that window; or would the crane be in the way?—A. No; as

this window was shot by the ball, I could not do it.

Q. Why?—A. Because the ball was fired sloping, it was not fired level.

Lord Chief Baron.—Q. Which way did it slope? A. The muzzle of the pistol must have pointed downwards.

Mr. Garrow.—Q. Shew the inside of the shutter; by the splinters does it appear in your judgment that the pistol must have been placed so as to have slanted downwards?—A. Yes.

Q. And that could not have been if the shot had been fired from the river?—A. No.

Q. Is there any house at the crane in which a person could conceal himself?—A. No.

Q. It is merely what you call a gibbet crane?—A. Yes, there is no place of concealment there.

Q. Supposing any person to have fired from any part of the wharf, and if any it must be this, so as to command the window, is there any way by which they could get away, supposing the gates shut, but by getting over the fence?—A. There were no other means of getting away but by getting over the gates, for they were all shut.

Q. Do you know the place where the Miss Davies's are said to have been?—A. No.

Q. Do you know the angle going to Frost's?—A. Yes.

Q. Where they are supposed to have stood, would they have an opportunity of seeing any body that got over the gate?—A. Yes.

Q. How soon after your master had been shot on the Monday, did you hear he had been shot?—A. I heard it the next morning when I came to work along with the other men.

Q. Who did you sleep with upon the Tuesday night?—A. I sat up all night with my master.

Q. Who did you sleep with on the Wednesday

night?—A. I was above stairs then, with my master.

Q. Was you at any time in Mr. Patch's room?—A. No; not then.

Q. Did you at any time sleep with Patch?—A. On the Thursday night.

Q. Did you sleep with Patch in the room he usually slept in?—A. Yes, in his bed.

Q. With him?—A. Yes.

Q. Did you carry apparel of any sort to that room except what you wore and what you carried away with you?—A. No.

Q. Are you positively certain of that?—A. Yes; what I carried up I took down with me.

Q. Had you any thing but what you stood up in? A. No.

Q. Did you carry a bundle?—A. No.

Q. Did you carry, or leave there, any pair of white ribbed cotton stockings?—A. No; I did not; what stockings I had I went up stairs with on, and I came down with them on in the morning.

Q. You are sure you did not leave any thing in that apartment?—A. Yes.

Q. Had you ever been in that room before, or since?—A. I had never been in that room before that; but I have been up several times since the job happened.

Q. Do you remember Mr. Stafford coming to search the house?—A. There was some gentleman.

Q. You never carried any thing and left it there?—A. No.

Q. Above all, did you ever carry any stockings and leave them there?—A. No.

Q. Are the pales next the stone-mason's-yard, substantial or slight?—A. Very slight; I believe there is one here: nobody can get over this place in a hurry without breaking them.

Q. Did you observe them after Mr. Blight had been shot?—A. Yes.

Q. And there were none of them broke?—A. No.

Q. Did they continue as they are now?—A. They are there now.

Q. After your master died, there was a Coroner's Jury, was not there?—A. Yes.

Q. Do you remember, upon the Tuesday evening, before the Coroner's Jury sat, being present when Esther Kitchener and her mother were together in the kitchen?—A. No; Esther Kitchener's mother was there before they went to the Jury.

Q. Do you remember seeing Mr. Patch there?—A. Mr. Patch was there in the evening.

Q. Did you hear him say any thing to Esther?—Yes; I was sitting in the kitchen along with Mr. Patch and Esther, drinking a glass of grog together, the same as we might do now. Mr. Patch said, Now, Esther, you are going before the Jury, you must speak the truth, and nothing but the truth. Esther said she should speak the truth; and Mr. Patch said, they will cross-question you, and ask you a good many questions; and if you begin upon one story, you must keep to that story, and no other; if you don't, you will get me into prison. You know they will ask you, whether you gave me a candle: you know I asked you for a candle, and you gave me a candle; I took the candle out of your hand and went into the privy, and you heard me shut the privy-door. They will ask you all these questions, says he, and you must tell them.

Q. This was upon the evening before the Coroner's Jury sat?—A. Yes; the night after my master died.

Q. Did any thing more pass that night?—A. No.

Lord Chief Baron. Q. About what time of night was it?—A. Just before we went to bed.

Q. Mention the hour?—A. I suppose between ten and eleven.

Mr. Garrow. Q. It was known that the Jury were to sit the next day?—A. Yes.

Q. And you were taking some grog together?—A. Yes.

Q. The next day Esther was examined before the Jury?—A. Yes.

Q. Do you know whether Patch was examined?—A. I do not know.

Q. Did he say whether he had been?—A. When Mr. Patch came home, he came into the kitchen, on Wednesday night, after he came from the Jury; and, says he, I was as near being hanged as ever any thing was in this world.

Q. When did the conversation begin?—A. That was what he said when he first came into the kitchen.

Q. You knew he had been before the Coroner?—A. Yes.

Q. What did he say he had been doing? How did the conversation begin; and who did he address himself to?—A. There was only Esther and I in the kitchen. I was asking what had passed, and he said, I was as near being hung as ever any thing was in this world; but, says he, if I had, I should have been as happy as I am now. Some people seem to think, says he, that it was I that shot Mr. Blight.

Q. He was at that time at large, and coming to his bed to sleep?—A. Not in charge at that time; he was in my master's kitchen. Some people, says he, seem to think, that it was I that shot Mr. Blight. The Jury asked me, whether I had a couple of pistols. I told them, yes; I had a couple of pistols, very short ones, somewhere above stairs in the box. Says he, you have seen me have the

pistols, have not you? and I said, no. Says he, they are a couple of little short pocket pistols. I said, yes, Sir, those did not shoot my master, it was a larger one. Says he, Damn it, some people seem to think it was I that shot Mr. Blight; but one man shall take one of those pistols with one hand, and I will have the other, and he shall take the first fire at me.

Q. Did he produce them?—A. No.

Q. He described them as a pair of pocket pistols? —A. Yes.

Q. What more did he say?—A. I never heard him say any more.

Mr. Serjeant Best. We shall not ask you any questions.

GEORGE SMITH *sworn.—Examined by the* COMMON SERJEANT.

Q. What are you?—A. Apprentice to a shipwright.

Q. Do you live near Mr. Blight's?—A. No.

Q. Do you recollect the Monday Mr. Blight was shot?—A. Yes.

Q. Where were you on the evening of that day? —A. Passing his premises.

Q. What part of his premises were you passing at that time?—A. The fence very nigh his gate.

Q. About what time was you passing there?— A. As near as I can guess, about half past eight.

Q. Did you hear any thing at that time?—A. I heard the report either of a pistol or a gun.

Q. Where did it appear to you to have been fired?—A. In Mr. Blight's yard.

Q. Were there any persons near you at the time? —A. There were three boys and five labourers.

Q. How far do you think you were off the gates at that time?—A. I was between ten and eleven yards.

Q. Had any person a light with them at that time?—Yes.

Q. What sort of a light?—A. A link.

Lord Chief Baron. Q. Who had that?—A. One of the labourers.

Mr. Common Serjeant. Q. That gives a good light?—A. Yes.

Q. As you were passing by, did any body come from the premises of Mr. Blight?—A. Not that I saw.

Q. If they had climbed over the fence, or over the gateway, must you have seen them?—A. Yes, I must.

Q. How long were you within sight of Mr. Blight's premises?—A. I cannot say; I might be a minute, or it might be more or less.

Q. Did you hear any noise of any person walking or attempting to get over the gates?—A. No person all.

Cross-examined by Mr. Serjeant BEST.

Q. There were three boys and five labourers?—A. Yes.

Q. Were you all walking together?—A. No; the labourers were a-head.

Q. They were one party, and you boys were another?—A. Yes.

Q. Were you talking?—A. No; not a word; the labourers were talking to each other.

Q. The boys were not talking; but the five labourers were talking to each other?—A. Yes.

Q. Did you hear what the labourers said?—A. No.

Q. Were they going home from work?—A. Yes.

Q. You did not stop at all?—A. I did not.

Q. You was passing along pretty briskly?—A. Yes, very fast.

Q. One of the labourers had a link, you say?—A. Yes.

JOHN BROWN *sworn.—Examined by Mr.* CONST.

Q. Was you with Smith on the night of the 23d September last?—A. Yes.

Q. Where was you?—A. Almost by Mr. Blight's gates.

Q. Did you hear the report of a pistol or gun?—A. Yes, I did.

Q. Who were there besides you and Smith?—A. There were five more.

Q. Not in your company?—A. No, just before us.

Q. Had you any light with you?—A. Yes, we had a link.

Q. Were you so situated that if any body had been escaping from Mr. Blight's premises, you must have seen them?—A. From the part where we were, we must.

Q. Whether they had gone into the alleys, or into the highway, you must have seen them?—A. Yes.

Q. Which ever direction they had taken, you must have seen them come out?—A. Yes.

Q. Did any observation take place?—A. Yes; Smith said, there is somebody shooting at the ship-breaker again.

Q. How did you understand the word *again.*

Mr. Serjeant Best.—That conversation certainly cannot be evidence.

Mr. Const. Q. Nothing more passed?—A. No.

Mr. Serjeant Best. We have no questions to ask.

Mrs. SARAH BLIGHT *sworn.—Examined by Mr.* GARROW.

Q. You are the widow of the deceased gentleman, whose death we are enquiring upon?—A. Yes.

Q. When did you first become acquainted with the prisoner Patch?—A. I believe it is two years and a half since.

Q. Did any relation of his live in your family?—A. Yes, a sister of his.

Q. Was she a servant in your family?—A. Yes.

Q. She was your only female servant?—A. Yes.

Q. Did your first acquaintance with the Prisoner begin by his visiting that sister?—A. Yes.

Q. After he became thus introduced to your acquaintance did he enter into your husband's service?—A. Yes.

Q. What did he represent to be the state of his own circumstances, and where he had come from?—A. He came from the country in consequence of some difficulties occasioned respecting some tithes.

Q. Do you recollect what part of the country he represented himself to have come from?—A. I think it was from Aylesmere.

Q. In the West of England?—A. Yes.

Q. Did he engage in your husband's service?—A. Yes, he did, after some little time.

Q. Upon what terms, as to compensation, did he first engage in your husband's service?—A. Forty pounds a year.

Q. At first?—A. At first.

Q. Did he work at any time without receiving any pecuniary salary?—A. Yes, some short time.

Q. Only for his victuals?—A. Yes.

Q. How long might that be, do you think?—A. A month, I believe.

Q. Did he work in the breaking-up of the timber, or other laborious parts of your husband's business?—A. No, I don't think he did.

Q. He superintended other workmen?—A. Yes.

Q. He afterwards received wages, 40l. a year?—A. Yes.

Q. For how long?—A. I believe one year.

Q. During that time you boarded him, I take it

for granted; I mean while he was at 40l. a-year.—A. Yes.

Q. What alteration was afterwards made in his salary, or in the state of his circumstances —A. I believe his salary was raised to 100l. a-year.

Q. Did any thing happen in the affairs of Mr. Blight in the year 1805, from whence you know there was some embarrassment or derangement in Mr. Blight's pecuniary concerns.—A. No, I don't know.

Q. Any thing respecting his creditors?—A. No.

Q. You did not know any thing of that sort?—A. No.

Q. Did Mr. Blight at any time give you any papers, with any directions to deliver them in a given event to Mr. Patch?—A. Yes.

Q. Was Patch present at the delivery of those papers to you?—A. Yes.

Q. Was you present at any time when those papers were the subject of a conversation between him and Patch?—A. Yes.

Q. When, as you best recollect, were those papers delivered to you?—A. I think six months before the accident happened; about six months.

Q. They are in Court. I am speaking of the receipt, the bill of parcels, and the letter.—A. I think that was not above four months.

Q. What conversation did you hear between your husband and Patch respecting those papers, and what you was to do with them?—A. I do not recollect.

Q. You told me you heard some conversation between Patch and your husband?—A. Yes, I was to give those papers to him, in case of being questioned respecting the property.

Q. Did you ever part with those papers, either to the prisoner, or any other person, until after your husband's death?—A. No.

Lord Chief Baron.—Q. You kept them till his death.—A. Yes, I did.

Mr. Garrow.—Q. You had gone out of town to Margate, and there received information of the accident that had happened to your husband?—A. Yes.

Q. Upon your coming to town where did you find those papers?—A. In the tin box where Mr. Blight told me he had put them.

Q. Was that in his dressing-room?—A. Yes.

Q. Were they in an envelope, addressed to you?—A. Yes, directed to me.

Q. There you found them in that state, after your husband's death?—A. Yes.

Q. Who did you deliver them to?—A. To a lady who was with me on a visit, and she gave them to Mr. Patch.

Q. In your presence?—A. Yes.

Q. When were they delivered for the first time to Patch?—A. The evening he was taken away from the house.

Q. That he was taken into custody?—A. Yes.

Q. Was that after he had been examined before the Coroner's Jury?—Yes.

Q. What did he say to you to induce you to put those papers in his possession?—A. He said he had been questioned with regard to the property, and that he had not those papers in his possession.

Q. Did he say where he had been questioned?—A. At the Acorn.

Q. That is where the Coroner's Jury sat?—A. Yes.

Q. What more did he say?—A. Nothing more that I recollect.

Q. Upon that you gave him those papers?—A. Yes.

Q. Did he say any thing more about what he wanted those papers for, except that he had been questioned about the property?—A. Nothing more than that he wanted the papers.

Q. Is it true that he had had from the 15th of July the entire possession of those papers, or had he them at any time till after he had been before the Coroner's Jury?—A. Not till September the 27th.

Q. That you are quite sure of?—A. Yes.

Q. Your husband had originally accompanied you to Margate; then returned to town, and afterwards left London on the 19th September.—A. I cannot say; it was on a Thursday, I don't know the day of the month.

Q. Soon after he had arrived at Margate did he receive any letter (I don't ask you the contents) which induced him to come to London.—A. Yes.

Q. How soon?—A. On the Saturday evening after he arrived on the Friday with me.

Q. Are you acquainted with the hand-writing of the prisoner Patch.—A. Yes.

Q. Should you know the letter that your husband received if I was to shew it you.—A. Yes.

Q. Be so good as to cast your eye upon that, and tell me if that is the letter.—A. It is.

Q. Do you believe that to be the prisoner's hand-writing?—A. Yes.

(The Letter read.)

Rotherhithe, 20th Sept. 1805.

" DEAR SIR,

" I have a very unpleasant and alarming thing to inform you of:—I was last evening sitting in the front room, in the chair Mrs. Blight sits in at breakfast, about half-past eight o'clock, and to my great surprise I heard the report of a gun, and the contents of it came through the window nearest the yard gate. When the servant brought the lights in, I ordered her to shut the window, as I intended to go to bed early; so the ball came through the window and the shutter, the side frame, and knocked the blind all to pieces, one of which struck me on

the side of the head, but, I am happy to say, done me no material damage. I immediately ran into the yard, but could not see any one, and for the present am at a loss to judge the intention of it; but it seems very likely to be intended for your's or my life. I hope I shall find it to be accidental, which will be a great satisfaction to me, and I suppose to you also; but from the direction it came through, there is reason to think it was done from the wharf:—if so—no doubt the party was disappointed to find the window shut. I don't know what enemy you may have, but for my part I don't know I have offended any one by word or deed, or had a quarrel with any one. I have had but little business since you were gone, and have nothing particular more to insert, but my kindest respects to yourself and family, and hope this will find you all in health. I shall be happy to receive a few lines from you, but much more to see you, as you are the only friend I have to consult with. I am,

"Dear Sir,

"Your most obedient humble Servant,

"RICHARD PATCH."

Mr. Garrow.—Q. How long was it your husband's purpose to continue with you at Margate? A. He intended to have come home on the Monday.

Q. Do you know from any conversations between him and Mr. Patch in your presence, whether there had been any money concerns between them?—A. Yes.

Q. When he came to visit you at Margate, was it his original purpose to continue with you, or to have returned upon the Monday?—A. To have returned on the Monday.

Q. Do you know from conversations in the

presence of Patch, that your husband and he had pecuniary concerns then depending? A. Yes.

Q. Confining yourself to those in Mr. Patch's presence, what did you hear them say to each other before you left town?—A. That there was a 1000l. bill.

Q. What conversation had you heard between your husband and him about the 1000l. bill?—A. That there was one drawn at two months date which was to be paid at that time.

Q. Drawn upon whom, and by whom, and for what purpose?—A. Drawn upon Mr. Goom; I heard it often talked of.

Q. Who did you hear say this?—A. Mr. Blight said that.

Q. Did you hear that in conversation between the two?—A. Yes.

Q. Drawn upon Mr. Goom, by whom?—A. By Mr. Patch.

Q. For what purpose?—A. For the sale of an estate.

Q. An estate that who had sold?—A. An estate that was sold of Mr. Patch's, in Devonshire.

Q. And this bill was represented to be drawn upon Goom?—A. Yes.

Q. Who was to have the produce of that 1000l. bill?—A. Mr. Blight.

Q. For what purpose and upon what consideration was Mr. Blight to have that 1000l.?—A. For Mr. Patch to have a part of the business.

Q. Was the 1000l. the entire sum, or was there a larger sum to be made up?—A. 1250l. was the whole sum, but it was reduced to 1000l. by Mr. Blight having 250l. paid in his hand.

Q. Therefore from the conversations that you heard, you collected that there was a 1000l. still due to your husband, secured by a bill upon Goom?—A. Yes.

Q. Did you ever hear before your husband left town, any conversation between him and Mr.

Patch about that money getting into Mr. Blight's hands?---A. Yes, many times.

Q. State what you heard him say?---A. When that bill was due, it was to be paid into Mr. Blight's hands, that is all I know of it.

Q. Did you ever hear your husband say any thing to Mr. Patch about this money getting into Goom's hand?---A. Yes.

Q. What did you hear him say?---A. I heard him ask when that bill was due, why it was not paid.

Q. You then heard there was a time at which, as you collected from them, it was not duly paid?—A. Yes.

Q. Can you tell us when about that was?—A. I believe four months before Mr. Blight's death.

Q. What account did Mr. Patch give upon that enquiry of your husband?—A. That his friend Goom was not ready to pay it, and had not got it.

Q. What more did he say, did you at any time hear a conversation about any part of it?—A. Yes; he said he could get 500l. of the money.

Q. That was from Goom?—A. Yes, but he would not take that as he could not have the whole.

Q. Did matters respecting that 1000l. as far as you know of it, remain in that state after you came from Margate?—A. Yes.

Q. Upon the receipt of that letter, did your husband come to London?—A. Yes, he did.

Q. And soon after you heard of the misfortune that had happened to him?—A. He intended to have come to London on the Monday, but as he had not heard that the money was paid, he came away on the Sunday instead of the Monday.

Q. You heard afterwards of the misfortune that had happened to him, and you came to town?—A. Yes.

Q. In consequence of your knowledge of this transaction when you arrived in London, did you speak to Mr. Patch about it?—A. Yes I did.

Q. State very deliberately what passed between you and him upon that subject?—A. I asked him if Mr. Goom's bill was paid.

Q. When was this?—A. I believe the Friday morning.

Q. That was before he was in custody?—A. Yes, I asked him if Mr. Goom's bill was paid; he told me yes, it was.

Q. Did he say any thing more?—A. I do not recollect any thing else about Mr. Goom, more than that the bill was paid.

Q. Do you recollect any thing about Mr. Goom's coming to your house?—A. Yes, he said Mr. Goom had been there to breakfast on the Tuesday morning.

Q. Do you recollect particularly whether he said it was by appointment or accidental?—A. By appointment; he said Mr. Goom had been to the bankers, that the money was paid, and that he had breakfasted there on the Tuesday morning.

Q. Did he say he came by appointment?—A. Yes; that he had appointed him to come to breakfast.

Q. Who did he say had been to the banker's?—A. I do not know, really.

Q. Did you understand him to say, I have been to the bankers, or that Goom had been to the bankers?—A. That Goom had.

Q. He told you distinctly that the money was paid, and that he came by appointment to your house to breakfast on the Tuesday morning?—A. Yes.

Q. That you are quite sure of?—A. Yes.

Q. Do you know the contents of the papers that were entrusted to your care, to be delivered upon a certain event to Mr. Patch; you know there was a receipt, a bill of parcels, and a letter addressed to Patch?—A. Yes.

Q. Did you ever hear any thing said in the presence of Mr. Patch as to the nature of that transaction, and why it was done?—A. Yes, many times.

Q. What have you heard said between them was the object of writing those papers?—A. To secure his property.

Q. For whom?—A. For himself and his family.

Mr. Serjeant Best. You are confining yourself to the papers of the 15th of July.

Mr. Garrow. I am.

Q. It was for the purpose of protecting your husband and family?—A. Yes, because our trustees persecuted Mr. Blight very much.

Mr. Garrow. That is, the trustees under the deed of composition.

Witness. He was afraid, because the creditors threatened to take his property from him.

Q. And that was to protect it?—A. Yes.

Q. Was that ever talked of in the presence of Mr. Patch?—A. Yes, very often.

Q. You never heard it represented till after Mr. Blight's death, that Mr. Patch had bought the property from Mr. Blight, or that he had advanced the sum of 1250l. for it; but that, on the contrary, that it was intended to cover his property against the claims of creditors?—A. Just so.

Q. Do you know of any other sum being advanced at any other time, by Mr. Patch to your husband, excect the 250l. part consideration for coming into partnership?—A. Yes.

Q. What other sum?—A. One other 50l.

Q. Was that the whole that you know of coming to him?—A. Yes.

Q. Was you so well acquainted with your husband's concerns that if he had made him large payments, or large loans you should probably have known it?—A. Certainly.

Q. If from time to time he had been advancing 1200l. or 2000l.s to your husband's trade, could it have happened without your knowing it?—A. No.

Q. Was you ever present at, and have you heard their confidential conversations?—A. Yes.

Q. Did you ever hear any such thing insinuated or suggested?—A. No, never.

Q. Be so good as cast your eye upon these papers, and tell me if they are the three papers which the lady, your acquaintance, delivered to Mr. Patch in your presence?—A. Yes, these are the same papers.

Q. Did you look at them sufficiently to see that they are your husband's hand writing, and that those are the very papers?—A. Yes.

(The Receipt read.)

"Received 15th July, from Mr. Richard Patch, two thousand and sixty-five pounds four shillings, being in full for the stock in trade on my premises, sold him this day.

£.2065 4 0 "ISAAC BLIGHT."

(The Bill of Parcels read.)

Rotherhithe, 15th July, 1805.

Mr. RICHARD PATCH,

Bought of ISAAC BLIGHT.

	£.	s.	d.
The remains of the hull of the ship Carnatic - - -	1400	0	0
A parcel of the plank and timber lying in the yard - -	240	0	0
Two boats and oars, &c. - -	70	0	0
Two cranes, on the wharf - -	100	0	0
The furniture and fixtures of the house, as per inventory -	237	14	0
A parcel of ship-breakers and smiths tools	17	10	0
	£.2065	4	0

(*The Letter read.*)

"*Rotherhithe, 15th July, 1805*

"Mr. RICHARD PATCH,

"Sir,

"In consequence of your taking the stock in trade off my hands, I do hereby promise to use my best endeavours to procure a renewal of the lease of the premises, from the Corporation of the City of London; the petition for the same having gone in my name, you paying all charges and expences on the same;

"I am, Sir,

"Your humble servant,

"ISAAC BLIGHT."

Cross-examined by Mr. Serjeant BEST.

Q. Your husband, I believe, before he got into the ship-breaking business had been a merchant?—A. Yes.

Q. A West India merchant?—A. Yes.

Q. As a West India merchant he had failed?—A. Yes.

Q. That was in 1803?—A. I believe it was.

Q. Before Mr. Patch came to him?—A. Yes.

Mr. Garrow. Q. Were his affairs retrieved after Patch came to him?—A. Yes.

Q. He was carrying on the ship-breaking business which I believe is a very profitable one?—A. Yes, it is.

Q. I observe you and your husband were at Margate; after Mr. Patch came to him his business was in a flourishing state?—A. Yes.

Mr. Serjeant Best. Q. I believe the Trust Deed is at this time in existence?—A. Yes.

Mr. Garrow. You may take it so that the Trust

Deed is in existence, and we admit that no dividend has been made of his effects.

Mr. Serjeant Best. That is all we wish.

STEPHEN GOOM *sworn--Examined by Mr.* COMMON SERJEANT.

Q. I believe you live in Tyer's Gateway, Bermondsey-street, in the Borough?—A. Yes.

Q. You are a Glue-maker?—A. Yes.

Mr. Garrow. We may in the course of the Common Serjeant's examination, have to speak of a paper which this witness will refer to, but which we cannot produce; it being in the possession of the Prisoner, we have given him notice to produce it, and it may, perhaps, be better now to prove that notice.

Mr. SWENDELL *sworn--Examined by Mr.* GARROW.

Q. You are Clerk to Mr. Humphreys, Solicitor for this Prosecution?—A. Yes.

Q. Look at those papers, and tell me whether you served the notices, of which those are copies, upon the prisoner?—A. Yes.

Q. One with a view to the projected trial at Kingston, and the other with a view to the trial here?—A. Yes.

Q. You likewise served them upon the Solicitor for the Prisoner?—A. Yes.

(The Notices read)

Mr. Garrow. Do you produce the paper mentioned in those notices?

Mr. Serjeant Best. We have not got it?

Mr. Common Serjeant. Q. *(to Goom.)* Do you know the Prisoner, Richard Patch?—A. I take it to be from seven to ten years ago I employed his brother, when he worked for Mr. Thomas Walker, in

Russel Street, Bermondsey; I saw him two or three times while he worked for Mr. Walker.

Q. How long ago?—A. That is ten years ago; I have not seen him since, till I saw him at the public examination at Bow-street.

Q. What is your address?—A. Stephen Goom, Glue-maker, Tyer's-gateway, Bermondsey-street.

Q. Had you ever had any pecuniary connections with the man now at the bar?—A. No.

Q. Did you ever receive any money from the prisoner at the bar?—A. Never.

Q. Did you ever give him any authority to draw upon you to any amount whatever?—A. Never.

Q. Did you ever receive from any other person money on account of the prisoner at the bar.—A. Never.

Q. Did you ever know of the prisoner having drawn upon you to any amount whatever; I mean until he was taken into custody?—A. I never knew any thing of it till I had notice to attend his examination at Bow-street.

Q. Then, prior to Mr. Blight's death, you never heard of his having drawn upon you?—A. No.

Q. Had he ever asked permission to do so?—A. Never, for I had not seen him these ten years; I should rather think it is more than ten years since I saw the prisoner, till the public examination.

Q. Did you give any note of hand, or security of any kind to Mr. Patch for the payment of money?—A. Never.

Q. Did you ever make any appointment to call at Mr. Blight's to pay money to Mr. Patch?—A. Never.

Q. Or appoint him to breakfast there?—A. Never.

Q. Did you ever, in point of fact, breakfast there, or call for money?—A. No, to the best of my knowledge I did not know he was there.

Q. Did you ever call at the banking-house of Willis, Wood, Percival and Co. with respect to any draft payable to Mr. Patch?—A. No.

Q. Nor ever tell any body that you had done any such thing?—A. No.

Lord Chief Baron. Q. Had you ever called at Willis and Percival's at all?—A. Never.

Mr. Serjeant Best. I will not trouble you with any questions.

THOMAS GRAHAM *sworn.*

Q. Where do you live?—A. In Mile-end Road.

Q. Of what profession are you?—A. A Ship Owner.

Q. You was acquainted I believe with Mr. Blight?—A. I was.

Q. Do you remember being with him at his house on Monday, the 23d of September last, the day he unfortunately met his death?—A. Yes, I was.

Q. Was you present at any time while Mr. Patch and he were conversing together?—A. Yes, I was.

Q. Tell us what passed between them, and what was the subject of their conversation?—A. On the Friday, I think, I called at Mr. Blight's house about a little business which he owed me for a ship which I had sold him, and he was not at home; Mr. Patch told me a sad accident had happened.

Q. This was on Friday subsequent to the 19th?—A. I think it was on the Friday; I called on the Friday about the payment of a ship which he owed me for; he was not at home: I asked Mr. Patch where he was, and he told me, I think, that he was at Margate or Ramsgate; he said a sad accident had happened; that some person had fired a pistol or a musket through the window, and he took me in to shew me the place; I looked at it; he shewed me the window where the shot had come the inside the house. I asked him if he knew any

reason or cause why it was done? He said, no; he believed it was intended either for him or Mr. Blight. He then shewed me in what situation he was sitting when the shot came in, and the chair, and that some part of the blinds of the window was driven againſt his head. I asked him where the ball went to; and he stooped and shewed me: he said it dropped about half way between him and the window. I looked, and observed part of the blind lying upon the floor, and some bits of things thrown from the window, which I was rather astonished had not been removed; he said he wished to let them remain there till Mr. Blight saw them upon the floor. I asked him if he had a suspicion of any person to do such an act? he said no, he had not; that Mr. Blight had had some words with a person that was about finishing some ground for a dock, or a wharf, on the other side of the water; he mentioned the person, but I have forgot the name.

Q. Should you know the name if you heard it? —A. I think I should.

Q. Was it Thompson, or Johnson, or Clark?— A. I believe it was Clark, but I am not quite sure: he said he would write to Mr. Blight to come up immediately about it; that he was rather uneasy.

Q. Did any thing else pass that day?—A. Nothing particular; on the Monday following I called again to see if he was come home, as I was going to look at a ship in Greenland Dock: they said, Yes, he was come; but he was gone to London. I told Mr. Patch to tell him I ſhould call as soon as I had left the ship I was going to see, which I did.

Q. About what time was that?—A. I suppose it might be about one o'clock when I got back; he had just come from town; I began to ask him for the payment of the vessel, and he said he had just come from town.

Q. While you was there, did Mr. Patch come into the room?—A. When we were talking this over, we were upon the wharf; he then asked me to go in, and take a snack of something to eat, which I did.

Q. Pass over all that was said between you and Mr. Blight, till Mr. Patch joined you?—A. When I had sat down to have something to eat with him, Mr. Patch came into the room while I was eating with him, and he says, Mr. Blight, pray where are your spurs?

Q. Had he at that time boots or shoes on?—A. Boots. Mr. Blight pointed across the room, and said they are in the window-seat, or chair, I don't know which, and he took them. Mr. Blight said, now Patch, don't return without the money. Says he, Sir, you may depend upon it I shall not come back till it is settled: he then went away, and did not return while I was with Mr. Blight.

Mr. Gurney.—I have no question to ask.

Mr. RICHARD PERCIVAL *sworn; examined by Mr.* POOLEY.

Q. You are a partner in the house of Willis, Wood, Percival, and Co.?—A. Yes.

Q. Did Mr. Patch, in September last, open an account at your house?—A. Yes, he did.

Q. About what time in September?—A. About the 7th.

Q. Among other cash at that time, did he pay you any draft?—A. Yes.

Q. Upon whom?—A. He paid a draft for 1000l. upon Mr. Goom, drawn by himself.

Q. When was that payable?—A. On the 16th of September.

Q. Before that draft became due, did he call at your house again?—A. He did.

Q. For what purpose?—A. To say that Goom

was not prepared to pay the draft on the 16th; that he would take the draft with him, and send us another for a future day.

Q. Did he send you another?—A. He did.

Lord Chief Baron.—Q. What was that; have you it?—A. Yes.

Q. Was that a draft or promissory note?—A. A draft similar to the other drawn upon Goom, but the date altered.

Q. When was that other dated?—A. That I cannot say; perhaps Mr. Willis may be able to recollect.

(The draft read, dated 20th September, 1804, signed Richard Patch.)

"Pay to Messrs. Willis, Wood, Percival, and Co. or bearer, £1000.

"RICHARD PATCH."

Mr. Pooley. Q. Before that bill became payable, did you receive any letter from Mr. Patch?—A. I did.

Q. Is that it which you hold in your hand?—A. It is.

Q. Did you receive it from his hand personally? A. No.

Mr. Garrow.—Q. Do you know his handwriting?—A. I never saw him write.

Q. Have you ever paid his drafts?—A. Yes.

Q. Do you believe it to be his writing?—A. Yes.

(A Letter read, addressed Messrs. Willis, Wood, Percival and Co. No. 16, Lombard-street, London, dated Rotherhithe, 18th Sept. 1805, signed Richard Patch.)

"Messrs. Willis, Wood, Percival, and Co.

"I gave you a check upon Stephen Goom for £1000. on Friday, the 20th instant; called on me

to-day, informing me he should not be able to face it to-morrow, in consequence of which I have taken his note, payable the 1st of October next, which has given me full satisfaction, as before I had no security from him, I will call on you Saturday or Monday next, and take up the check and give you his note. I am, Gentlemen,

" Your humble servant,

" RICHARD PATCH."

Mr. Pooley. Q. At the conclusion of that letter he says he will call on you on Saturday or Monday, take up the check, and give you the note, did he so?—A. No, he did not.

Q. Did you know Mr. Blight?—A. I did.

Q. On the 23d September did Mr. Blight call at your house?—A. Yes.

Q. The day he was shot?—A. Yes, he did.

Q. What time in the morning?—A. About ten o'clock.

Q. For what purpose did he call?

Mr. Gurney. Q. That you can only know from conversation?—A. No.

Mr. Garrow. We shall not ask to conversation certainly; we only propose to ask concerning his pecuniary concerns.

Mr. Pooley. Q. Did he call at your house respecting his pecuniary concerns?—A. Mr. Blight had no account at our house at that time.

Q. Did he call and ask for a note?—A. Yes.

Q. What note?—A. The draft upon Goom.

Lord Chief Baron. I think it is part of the *res gestæ*, as to the fact of his going to enquire after a certain note; any thing that any body said is another thing; but he goes there to enquire after a note of a certain description: if he only asks if such a note is there, that may be evidence; but if you go on and say, Mr. Blight said so and so about it, that is not evidence.

Mr. Garrow. My Lord, we are willing to take it much shorter; the witness has said Mr. Blight had no account with them; we only mean to shew that Mr. Blight called there to make some enquiry about something.

Mr. Pooley. Q. Did he come to your house to make any enquiry concerning something?—A. He did.

Q. Have you got Mr. Patch's book there?—A. Yes.

Q. Is there any entry made in that book by Mr. Patch latterly?—A. Yes.

Lord Chief Baron. What is that book?—A. This is Mr. Patch's account, in his banking-book.

Mr. Pooley. Q. The last entry is written by Mr. Patch, as you believe—A. Yes.

(The Entry read.)

"Messrs. Willis, Wood, Percival, and Co. will please to place the above bills to the credit of the Executors of the late Mr. Isaac Blight,

"RICHARD PATCH."

Mr. Garrow. Q. Be so good as tell us what that is that is erased?—A. It is the second draft of Goom's of 1000l. that was brought.

Q. Who made that erasure?—A. We did.

Q. Upon its being withdrawn, you erased it?—A. Yes.

Mr. Pooley. Q. Is that last entry made in your book since the confinement of Patch?.—A. Yes.

Q. Since he has been in custody upon this charge?—A. Yes, certainly.

Lord Chief Baron. What is the meaning of this entry?

Mr. Garrow. Only that it was withdrawn, and then they struck it out.

Witness. The first draft was returned.

Q. You had originally entered it to the credit side of his account, and when the second is brought the first is returned?—A. Yes.

Q. Not having any assets or effects in your hands, you struck it out?—A. Yes.

Mr. WILLIS *sworn—Examined by Mr.* GARROW.

Q. You are in partnership with Mr. Percival?—A. Yes.

Q. Have you heard the account he has given?—A. Yes.

Q. Is it accurate?—A. Yes.

Q. You saw him write this entry?—A. Yes.

Q. Have you any doubt that that is his hand-writing?—A. None in the least.

Mr. Garrow.—My Lord, I opened another head of evidence, which I do not know whether your Lordship will permit me to go into; that is, to prove an *alibi* for Webster, if your Lordship thinks I can offer it, I will

Mr. Serjeant Best. I do not object to it.

Lord Chief Baron. I think you may go into it.

THOMAS WEBSTER *sworn.—Examined by Mr.* GARROW.

Q. In what way of business are you?—A. A sawyer.

Q. Do you happen to recollect where you was upon Monday the 23d of September last?—A. Yes.

Q. Did you know the late Mr. Blight?—A. Yes.

Q. Did you hear at any time that he had been killed?—A. Not till Monday morning.

Q. When did you hear he had been shot at; on what day?—Never before Tuesday morning; it was the night before.

Q. Where was you on the night before, that is to say, Monday night?—A. At home.

Q. Where had you been in the day?—At Lavender-yard, at work.

Q. Who was you working with?—A. One Mr. Chalk, a ship-breaker.

Q. What did you do with yourself then?—A. I stopped at a public house till half-past six, or a quarter before seven, and then I went home.

Q. How far is that from Mr. Blight's?—A. My house is four or five hundred yards.

Q. Did you leave your house after you went home that evening?—A. No.

Q. How long did you sit up?---A. I did not sit up I suppose twenty minutes.

Q. What time did you go to bed?—A. Before eight o'clock, because my daughter was in labour, and I went to bed out of the way of the women.

Q. Did you get up again till next morning?—A. No.

Q. Was you near Mr. Blight's premises?—A. Yes, when I came by them.

Q. Had you any pistol or gun in your possession in the course of that day?—A. No.

Q. Have you a son?—A. Yes.

Q. What is his name?—A. William.

Q. Did he leave his home, or did he abscond on any account whatever?—A. No, never.

Q. Was your son in London at the time Mr. Blight was killed?—A. No.

Q. Where was he?—A. In the Downs.

Q. Is he a sea-faring man?—A. He has been to sea.

Q. When did he go away for the Downs?—A. The last day of August.

Q. When did he return; before or after Mr. Blight was killed?—A. About a fortnight after.

Cross-examined by Mr. Serjeant BEST.

Q. He was absent at the time?—Yes.

Q. Was that the first voyage he had made?—A. Yes.

Q. He was not a sea-faring man before?—A. Yes, he was a sea-faring man before, but that was the first of his going away.

Q. Had it happened that your yard had been searched some time before this?—A. Yes, it had.

Q. Upon a charge of having some property of Mr. Blight's?—A. Yes.

Mr. Garrow. Q. Who caused that search to be made?—A. Mr. Patch: I was not at home, but my daughter was.

Q. Do you know of Mr. Blight having any thing to do with that search, or have you any reason to believe he had?—A. No.

Q. Was your son bred to the sea?—A. No, he is a sawyer.

Q. What do you mean by this being the first time of your son going away?—A. He went away the last day of August.

Q. At what time was that search made upon your premises by Mr. Patch, before or after your son went away?—A. After.

Q. Was there any thing found?—A. No.

WILLIAM WEBSTER *sworn.—Examined by the* COMMON SERJEANT.

Q. Are you the son of Thomas Webster?—A. Yes.

Q. What business are you?—A. A sawyer.

Q. Where did you use to work?—A. I have worked at Mr. Brent's and Mr. Blight's.

Q. Did you leave London at any time?—A. I left London the last day of last August.

Q. Where did you go to?—A. To Deal.

Q. When did you return?—A. About a fortnight after Mr. Blight was shot: I have got letters in my pocket to shew.

Q. Were you in London at any time between the last of August and the time that Mr. Blight came by his death?—A. No, I was not.

Q. Were you nearer to London than Deal?—A. No.

HARRIET WEBSTER *sworn.—Examined by Mr.* CONST.

Q. You are the daughter of the man that was here just now?—A. Yes.

Q. You live in the house with him?—A. No, not now; I did at the time this accident happened.

Q. How happened you to be in his house?—A. When my husband went away, I staid in the house.

Lord Chief Baron. Q. You are the daughter-in-law of Webster?—A. Yes.

Q. You are William Webster's wife?—A. Yes.

Mr. Const. Do you remember your sister-in-law being brought to bed?—A. Yes, I was in the house that very night that she was brought to bed; the night Mr. Blight was shot.

Q. Do you remember what time your father came home?—A. He came home soon; he had been out at a public house, and got rather in liquor, and went to bed: my sister was very poorly indeed, and I called my father up between twelve and one o'clock.

Q. At what hour did he go to bed?—About eight o'clock: about four o'clock in the morning, or between three and four I called my father to get up, for my sister-in law to get into that bed.

Q. Was he ever out of the house from seven o'clock till next morning?—A. No, not till five next morning.

JOSEPH CLARK *sworn.—Examined by Mr.* POOLEY.

Q. What is your business?—A. A labourer.

Q. Do you remember the night on which Mr. Blight was shot?—A. I can't justly recollect the day, I believe it was on a Monday.

Q. Where was you on the night of that day?—A. I was at the Red Lion at Poplar.

Q. Where did you go from?—A. I went from Deptford across the water to the Red Lion at Poplar.

Q. Who was with you?—A. John Cox.

Q. How long did you remain there?—A. As much as an hour and a half.

Q. What time did you leave it?—A. About half past eight o'clock.

Q. Where did you go to then?—A. To the Green Dragon at Poplar.

Q. How long did you stop there?—A. A very few minutes, we had a pot of beer.

Q. Where did you go then?—A. To the King's Head at Limehouse Causeway.

Q. You remained there till what time?—A. Till past nine o clock.

Q. Was Cox with you?—A. Yes.

Q. Were you ever at Mr. Blight's premises in the course of that day?—A. No.

Q. Did you ever have any quarrel with Mr. Blight about repairing a wharf?—A. Yes, but that is a long time ago.

JOHN COX *sworn.—Examined by Mr.* GARROW.

Q. Have you heard what Clarke has said?—A. Yes; I saw that man at seven o'clock in the morning, and he was never out of my sight till past nine at night; his wife took him away from the public-house in Limehouse; he was very tipsy.

Q. Was he any part of that day on Mr. Blight's premises?—A. Never; he was upon my business all that day.

Mr. Garrow.—My Lord, we are now going to prove the agreement which I stated in my opening, between Mr. Blight and Patch, dated 31st of August, by which Patch, in consideration of the payment of 1250L was to be let into a third part of the business; it is only material in this respect, that there was a sum of 1250l. then unpaid: Mr. Musk is the attesting witness.

Mr. WILLIAM JONES *sworn.—Examined by Mr.* GARROW.

Q. I shall not trouble you with an account of this unfortunate gentleman's death; you was the surgeon called in?—A. Yes, I was.

Q. Do you remember seeing the prisoner Patch there?—A. Yes, I do.

Q. Did you know Mr. Patch before?—A. Yes, I have known him about a year and a half, and Mr. Blight for about a year.

Q. Did Mr. Patch usually wear boots, according to your observation?—A. Speaking generally he did.

Q. Did you see him upon the bed while Mr. Blight was in his distress after the wound he had received.—A. I saw him on the bed, and in different situations in the house.

Q. Are you able to state to my Lord and the Jury that he had boots on, or whether he had shoes and stockings?——A. He had boots on in the early part of the evening, but not when I was called in as a surgeon to Mr. Blight.

Q. At what time had you called in the evening when you saw him in boots as usual.—A. From half-past five to six o'clock; I was in the yard, conversing with Mr. Blight respecting the shot that had been fired on the preceding Thursday.

Q. How long did you remain with him then?—A. Full a quarter of an hour, perhaps more; I will say twenty minutes at the extent.

Q. Patch had his boots on as usual at that time?—A. Mr. Patch rode into the yard on horseback, then he was booted.

Q. At what time was it you was called in after the fatal accident?—A. The message came to my house about a quarter before nine.

Q. How long was you going?—A. I made every expedition; I considered myself to have arrived there before nine o'clock.

Q. In what circumstances did you first see Mr. Patch upon going in?—A. If I recollect right, Mr. Patch met me; Mr. Blight was lying on a bed, on the floor, in the parlour where he was shot; he met me on hearing I was come.

Q. Between the door and what place?—A. Between the parlour door and the bed where Mr. Blight was lying: he told me what had happened, and pointed out Mr. Blight to me.

Q. It is not necessary to go through that, he had received a mortal wound and died?—A. Yes.

Q. Mr. Patch continued offering him every consideration and attention?—A. Particularly so; Mr. Blight would not be removed in bed but by Mr. Patch's assistance. I never left the house; he had occasion to be removed very frequently, in consequence of the extreme pain; he never would admit of any other person to assist him.

Q. All the assistance and relief he wanted he had from Mr. Patch?—A. Yes.

Q. Therefore you had a very good opportunity of seeing how Mr. Patch was dressed?—A. Yes.

Q. Did you observe the colour of his small clothes as well as the colour of his stockings?—A. His small clothes were the colour of mine; I believe nothing but the scissars parted them; the same taylor made both: Mr. Patch saw mine, he liked them, and ordered a pair off the same piece.

Q. And the colour of his stockings were what?—A. They were white.

Q. And he so dressed at the time you went in?—A. At eleven o'clock he had his shoes and stockings on; I went for Mr. Ashley Cooper, and was away two hours very near.

Q. You don't know whether he had shoes and stockings on when he came in to the assistance of Mr. Blight?—A. I do not; I came first at nine o'clock.

Q. How was he dressed at nine o'clock?—A. I did not observe at that time.

Q. When did you first observe it?—A. At night, when he was kneeling upon the bed; he was not put to bed till between eleven and twelve.

Lord Chief Baron. Q. At what hour of the night was it that you first perceived him in white stockings?—A. It was, I believe, from eleven to twelve o'clock.

Mr. Garrow. Q. You did not know whether he had boots or shoes on when you came to the house at nine o'clock, because you do not recollect?—A. No.

Q. But when you saw him afterwards with Mr. Ashley Cooper, he had white stockings on.—A. Yes.

Q. And the small clothes were the colour of yours.—A. Yes.

Q. Nothing but the scissars parted them?—A. I believe not.

Q. Did you make any observation whether the stockings were ribbed or plain?—A. I made some little observation in my own mind, and I rather think they were ribbed; I believe I stated it in my declaration before the magistrate.

THOMAS MUSK *sworn.—Examined by Mr.* COMMON SERJEANT.

Q. Look at that, and tell me if you saw the execution of that agreement.—A. Yes.

Q. You witnessed the execution of that agreement.—A. Yes. (*The agreement read.*)

MARY SALTER *sworn.—Examined by Mr.* GARROW.

Q. You are a washer-woman by business.—A. Yes.

Q. Did you wash for Mr. Patch?—Yes.

Q. He lived at Mr. Blight's did he?—A. Yes.

Q. Do you remember hearing of poor Mr. Blight's death?—A. Yes.

Q. What day did you hear Mr. Blight was dead?—A. I heard it on the Tuesday.

Q. How lately before that had you received Mr. Patch's linen to wash?—A. On the same day that the accident happened at night.

Q. That is to say on Monday, on which Mr. Blight was shot?—A. Yes.

Q. What time on the Monday had you received Mr. Patch's linen?—A. Between eleven and twelve in the morning.

Q. Did you receive it weekly, or how?—A. I had not had any but once before, and that was, as well as I recollect, at the distance of a month or five weeks before.

Q. In what way do you laundresses mark your linen, so as to distinguish one customer's linen from another?—A. Sometimes I mark them with one sort of worsted, and sometimes with another.

Q. So that your people, whether they can read or not, can tell my linen from that gentleman's, and that gentleman's linen from another's?—A. Yes, if you was a new customer I should mark your linen.

Q. And, if an old customer, you would become acquainted with the linen, and lose sight of your mark?—A. Yes.

Q. It might happen that my linen might be marked W. G. and another's W. G. and so W. G. all round the table, and therefore, you mark them with different colours, and look through your washing-bill to see that every thing corresponds?—Yes.

Q. Did you ever wash any white cotton stockings for Mr. Patch?—A. I cannot say I ever recollect washing any cotton stockings for him, I don't remember.

Q. Be so good as look at those stockings; you need not unfold them at present, and tell me, is that the mode in which you usually mark a new customer's linen?—A. Yes.

Q. Is that the way in which if my stockings came to you for the first time, you would distinguish them from the rest of your customers?—A. Yes.

Q. You had had Mr. Patch's linen only once before the Monday?—A. Only once.

Q. So that you had not an opportunity of becoming acquainted with his linen?—A. No; I was not acquainted with it.

Q. Look at that mark; upon your oath do you believe that to be the mark you made while those stockings were in your possession?—A. I cannot say that I can.

Q. What do you believe?—A. I cannot believe that I marked them.

Q. Why?—A. Because I don't recollect washing any of that kind.

Q. It is because you cannot recollect, that you do not know; is that the way in which you mark?—A. Yes.

Q. Do you usually mark both the stockings, or only one of each pair?—A. I generally mark them both.

Q. Did you look at any of the linen which you had upon the Monday, from Mr. Patch?—A. Yes.

Q. After you heard Mr. Blight was killed, did it remain in your possession on the Tuesday?—A. Yes.

Q. What is become of it?—A. Mr. Patch has got it.

Q. You had linen from him on Monday which was either in its foul state, or in the water upon the Tuesday?—A. No; he has had it since that.

Q. On Tuesday what state was it in; on Monday it was dirty you know?—A. I had it home on

the Monday; I did not begin washing till the Wednesday.

Q. Then what you had from him on the Monday was in its foul state on the Tuesday.—A. Yes.

Q. Look at that mark, and tell me whether you believe that was made by you, or any body in your presence?—A. I do not know; it might; I don't think it was made by me.

Q. What do you believe?—A. I do not recollect washing these stockings.

Q. Having told me that is the mode in which you mark stockings, do you, or not, believe that that mark was made by you?—A. I cannot say that it was, because we had some came marked from other people.

Q. Look at that; does that worsted mark appear to have been frequently washed, or only once, in your judgment?—A. The colour is all washed out of it, pretty well.

Q. Do you know what colour it was originally?—A. No, I cannot say I do; I had only one pair of stockings dirty with the last linen?

Q. What colour were they?—A. Brown.

Q. Then with the last linen which came the day Mr. Blight was shot, you had only one pair of stockings.—No; only one pair.

Q. And they were brown?—A. Yes.

Mr. JOHN STAFFORD *sworn—Examined by Mr.* GARROW.

Q. Where did you find these stockings? A. I found them in the closet, in the Prisoner's bedroom.

Q. In what state were they at the time you found them?—A. They were folded up, and the top of one of them turned over, having exactly the appearance of a pair of clean stockings.

Q. In the manner in which one receives them from a laundress?—A. Yes.

Q. You was not satisfied with outside appearances; but had the curiosity to open them?—A. I thought I felt an unusual hardness in the inside when I grasped them, which induced me to open them.

Q. In what state did you find them?—A. I found the feet of them very dirty, in the same state they are now, except that there is not so much dirt; the dirt appears to be dryer, and the legs have acquired more dirt.

Q. How were the upper parts of the stockings at the time you found them, compared with the rest?—A. They appeared very clean.

Q. Had they the appearance of having been worn under boots?—A. They had not at all.

Q. Now roll them down and shew us the state in which they are?—A. The dirt drops off them every time they are opened. *(The stockings opened and shewn to the Jury).*

Q. I believe Anthony was with you when you found them?—A. Yes, he was.

Q. Is the bed-room over the counting-house, the staircase of which you pass in the way to the privy?—A. Yes; the bed-room is over the counting-house.

Jury.—Q. These stockings are not marked with any initials?—A. No, they are not.

Mr. Garrow.—I will ask another witness whether that was the Prisoner's bed-room.

Mr. Stafford.—He told me himself it was his bed-room. I found there all his wearing apparel and some bank notes, which he claimed.

Mr. Gurney.—Q. On what day was this?—A. I think the 30th of September, that was the Monday following.

Mr. Garrow.—Q. That was after Mr. Graham, the Magistrate had taken some some pains?—A. Mr. Graham was with me in the room; Mr. Patch was in custody previous to that time; he had de-

scribed his bed-room, and mentioned it as his room; he was taken into custody on the 27th I think.

Mr. Gurney.—Q. He was taken on the Thursday or Friday, and on the Monday morning you found these stockings in the closet?—A. Yes.

— ANTHONY *sworn—Examined by Mr.* GARROW.

Q. Were these found as Mr. Stafford has described?—A. Yes.

RICHARD MURCH, *sworn.—Examined by Mr.* COMMON SERJEANT.

Q. You were employed to search the privy belonging to Mr. Blight's house?—A. Yes.

Q. What day was it?—A. On the Wednesday.

Q. You mean the next Wednesday after Mr. Blight was shot?—A. Yes, the Wednesday after Mr. Blight was shot.

Q. What time of the day did you make that search; I do not mean to five minutes?—A. Between the hours of three and five.

Q. Did you find any thing in the privy?—A. I found a ramrod in the trunk.

Q. What was the trunk?—A. The trunk led from a water-closet of about six inches square.

Q. A pipe?—A. Yes, large pipe it led down into a bog-hole.

Q. Did you find any thing else?—A. No.

Q. Was it the ramrod of a gun or a pistol?—A. A pistol.

Q. Have you got it to produce?—A. No some of the gentlemen had it from me at Bow-street.

(The ramrod produced.)

Q. Is that the ramrod you found in the privy? A. Yes.

Q. In what situation was it; did you find it dirty?—A. It was about so much dirty, (*describing*

it) with a bit of oakum; the worm was about two inches deep in the soil, and the wadding round that worm end of it which was in the soil.

Q. I suppose you frequently go upon this sort of business.—A. Yes, frequently.

Q. Did you make any observation on the trunk, whether it had the appearance of any person having been there who had a looseness in his bowels? A. Nothing like it, not any thing of the kind more to the contrary.

Q. There was no appearance of any body having been there who was troubled with a looseness?—A. Not the least.

Q. Did you afterwards see Mr. Patch at the time his sister was with him?—A. Yes, I saw him at the Acorn.

Q. Was the Inquest then sitting?—A. Yes.

Q. Did you observe any body speaking to his sister?—A. Yes, I did.

Q. While some person was speaking to his sister, did Mr. Patch say any thing to her.—A. He called her on one side, and said, Sarah, was not there such and such gentlemen asked you some questions, mentioning their names.

Q. Do you recollect what names Mr. Patch mentioned?—A. I cannot; I did not hear them repeated.

Q. What did he say further? A. She replied, Yes; he said, be cautious of what you say, the report is of me; they can bring no proof against me.

Q. Was that all that he said to her?—A. Yes.

Q. Did you mention to Patch, at any time, that you had found this ramrod?—A. Only just upon the premises, when I found it; he was at the Acorn.

Q. What did he say concerning the ramrod?—A. He did not say any thing to me, I was not acquainted with him.

Cross-examined by Mr. SERJEANT BEST.

Q. This was the first time you had been down there?—A. Yes.

Q. You do not know whether there had been any reports about this or not?—A. No.

Lord Chief Baron. You say the soil it was in was of a very hard consistency?—A. Yes, it was.

Q. Was there a clear passage down into the cellar?—A. Yes, but it could not get any further on account of the hardness of the soil.

Q. Was there a passage through by which fresh soil might get into the bog?—A. Yes.

Q. Then the hard stuff was sticking to the sides; I suppose?—A. It was sticking to the bottom, none to the sides; it could not get down to the cellar; it formed a large pan, a square bog-hole.

Q. It could not get into the cellar, it choaked up the hole?—A. Yes.

Q. From your experience can you say, that if a person upon the Monday, having a looseness, had been frequently there morning and afternoon, there must have been the appearance of it?---A. There must have been the appearance of it, but there was not the least appearance of it.

MARY SMITH *sworn.---Examined by Mr.* CONST.

Q. You are a servant at the Brown Bear, Bow-street?—A. Yes.

Q. That is the house where Mr. Patch was confined?—A. Yes.

Q. Was it your business to wait upon him?—A. Yes.

Q. Do you remember his saying any thing to you by way of message to be delivered to Esther Kitchener?—A. Yes.

Q. When was that?—A. I don't know the day.

Q. While he was under examination at the time

he was at your house?—A. Yes, he asked me how his servant was, as I understood him; but whether he said his servant, or the servant, I don't know; he asked me to take her a glass of wine and give his compliments, and for me to tell her not to fret, for they only kept her confined to frighten her, to see whether she would not alter her story.

Q. Any thing more?—A. No.

Q. Did you deliver that message?—A. Yes, I did.

Mr. Garrow. My Lord, I am now about to call the magistrate who took the depositions. We do not think that all of them are material to our case; but we think, in point of candour, it is best to put them all in, and to let them all be read.

AARON GRAHAM, *Esq. sworn.—Examined by Mr.* GARROW.

Q. Be so good as to cast your eye upon that, and say whether that examination of the Prisoner was taken in your presence?—A. Yes.

Q. Taken from himself in your presence?—A. Taken from himself in my presence.

Q. Was it read over to him afterwards?—A. It was.

Q. Did he perfectly understand the contents?—A. Yes, perfectly.

Q. Look at that, was that taken under similar circumstances?—A. The same.

Q. There is a third, be so good as look at that; were they all taken under the same circumstances?—A. Yes.

The Examination of the Prisoner before the Magistrates at Bow-street, read, as follows:

September 27, 1805,—*Richard Patch* says—That on Monday evening last, he drank tea with Mr.

Blight in the back parlour, next to the lane, about six o'clock; and, after tea, Mr. Blight said he had brought his will home from town, and he read it to Examinant: he said there was but one thing he wished to have altered, which he would do on the morrow, and write it over again. Mr. Hugin was named executor; and Mr. Blight said, he thought he was a man that would not give himself much trouble about it, and therefore he would alter the will: after he had read the will, he said I want to make water, will you go with me? Examinant said yes, and went out with him; they returned together, and sat down upon their chairs close together, where they were sitting before. He then proposed taking a glass of grog and going to bed, as he found himself tired by being up all night; they had each a glass of grog and sat talking, when Examinant, having a complaint in his bowels, found it necessary to go out. Examinant had been several times during the afternoon and once since tea. Examinant went into the kitchen and got a light and the key of the counting-house, and went out at the door, and through the counting-house, to the necessary, as fast as he could, being very ill, and obliged to make haste. Examinant had but just sat down when he heard the report of a gun or pistol, and directly ran with his breeches in his hand to the door of the house, which was shut to, just as Examinant reached it. Examinant knocked at the door, and the servant opened it. Examinant asking what was the matter, the servant said her master was shot, and Examinant found him in the kitchen, leaning with his arm on the dresser. Examinant said, my dear Mr. Blight, what is the matter, and took him by the hand; he said, my dear friend, I am a dead man. Examinant then, assisted by the maid, took him into the parlour; the maid, after some little conversation, went out for assistance. Examinant understood she jumped out of the kitchen window.

Mr. Frost was the first person that came, and he went for Mr. Jones, the Surgeon, who came and looked at Mr. Blight, and then went for Mr. Ashley Cooper, after consulting with Mr. Younger, another Surgeon, who was present. Examinant attended Mr. Blight from the time of the accident until his death. Examinant asked him if he had any suspicion who could have done it, and he said he could not tell unless, it was Webster and Clark; the former of whom had been accused of robbing the yard of timber, and had his house searched; and with the latter he had had a violent dispute about the repair of a wharf. Examinant says, that Mr. Blight had, upon hearing of the attempt on the preceding Thursday, expressed himself in the same manner about those two persons. After the death of Mr. Blight, on Tuesday evening, Mr. Jones's assistant went by the mail-coach to Margate to acquaint Mrs. B. with the accident, and they came to town together in a post-chaise on Thursday morning. Examinant, when he went to the privy, was so pressed that he unbuttoned his breeches in going through the counting-house, and he seated himself and drew to the door after him; the moment he got into the privy and had scarcely made a discharge, when he heard the report, and the maid servant scream; and he jumped up, with his breeches in one hand and the candle in the other, he made all the haste he could to the street door, which he saw the servant shut, so that he thinks she could not have got half way back to the kitchen before he knocked and called, Open the door! open the door! (to be let in). To knock at the door, he let go his breeches, but kept fast the candle in his other hand, and carried it with him into the kitchen, where, when he arrived, the fore part of his shirt was tucked into his breeches, but the hind part not; the breeches were not buttoned at all, but he was obliged to keep them up with his hand till he began

to assist Mr. Blight back to the parlour, when he believes he contrived to get one of the buttons fast, but the shirt was still hanging out. Examinant led Mr. Blight into the parlour and sat down in a chair, taking Mr. Blight on his knee, in which position they continued for about a minute, and then he placed him in a chair, still keeping hold of his hand. Mr. Blight grasped Examinant's hand very hard, and though he shifted hands, yet he held fast by one or the other until Frost knocked at the door; after letting Frost in, Examinant went back to Mr. Blight, who took him by the hand again, and continued to hold it fast till a bed was brought down to the parlour for him to lie on, at which time there were several people in the room: Mr. Frost's brother, a Mr. Mathews, and others, whose names Examinant does not now recollect.

On the Thursday preceding the death of Mr. Blight, as Examinant was sitting in the front parlour of Mr. Blight's house, having sent Esther Kitchener for some oysters for his supper, a gun or pistol was fired through the window; the ball, which the maid servant found, on searching the floor after her return with the oysters, came through the window shutter, broke the window and the Venetian blind. Immediately upon hearing the report, Examinant got up and went on the wharf, in the front of the house, as fast as possibly he could, having been struck on the head with a part of the Venetian blind, he sitting at the table with his head leaning upon his hand, almost half asleep when it happened, having had very little rest the night before, by reason of keeping awake to call up Mr. Blight to go the Margate coach. Examinant looked about upon the wharf, and seeing no one, immediately went to the gate; on opening which, a man and his wife came up; they were at the gate the moment the Examinant opened it, and appeared to be coming from Grove-street; they were the first persons Examin-

ant saw after he heard the report. Examinant asked them if they had seen any one jump over the fence; they said no. Examinant asked them if they had seen any one running, or seemingly in a bustle; they said they had not seen any one, or heard any thing, but the report of a gun or a pistol, excepting a man lying apparently drunk just below the house. Examinant asked them where they thought the report came from; they thought, they said, it was quite close to them, and must be upon the wharf. The man said, Is there any thing the matter, Mr. Blight? taking Examinant for Mr. Blight. Examinant told him what had happened, and asked him to walk in; he said he would, and him and his wife came in: there was no person present at this conversation, nor did any one pass during the time. After the man and his wife came in, Examinant described to them how he was sitting in the chair and what had happened; the man asked him if he should call any one, as he thought Examinant had better have somebody with him. Examinant desired him to run and call Mr. Frost, being the nearest neighbour; he went, and Mr. Frost came back with him: the maid returned with the oysters just before the man went for Mr. Frost. Examinant described to Mr. Frost how he was sitting, and told him what had happened; Mr. Frost said it was a very alarming circumstance indeed, and they then all went into the room where Mr. Blight met with his accident, and talked over what the intent of the thing could be. Some one observed they thought it must be with intent to shoot Examinant, and then rob the house. Examinant cannot recollect who made the observation. Examinant said, he did not think it could be intended for that purpose, for they would not have alarmed the house first, if they had intended to rob it, unless they had made certain of killing Examinant; for the ball was very well directed, and might have killed both Mr. Blight and Examinant,

if they had been sitting together, as they generally did; this conversation passed in the back parlour, and Examinant then asked them to take some grog, which the man and Mr. Frost did, and the woman took a little brandy; they all sat in the back parlour an hour, or better, in conversation, after they came in: they then talked of going, and Examinant said he would immediately go to bed; the maid servant said she had no candle in the house; Mr. Frost said, if she would go with him he would lend her some for the night. They then rose to go, and Examinant said he would go with them, for company for the servant: we then all went out together, Mr. Frost, the man and his wife, the maid, and Examinant; it was very dark and rained much; it was very dark when the pistol was fired, and, except when it lightened, a man could hardly see his hand when he held it up before him; the rain did not begin until after the pistol was fired. Examinant sat down at Mr. Frost's, and drank a glass of grog; the maid was present. Mr. Frost asked Examinant if he had any fire arms in the house; Examinant told him he had a brace of pocket pistols, but no ammunition: Mr. Frost said he would lend Examinant some; Examinant said he would not have any for that night, but go home and go to bed immediately. Examinant knew that his pistols were not in good order, as he had not used them for two years before. Examinant then went home, in company with the maid, and went to bed in a few minutes afterwards. Examinant slept that night in Mr. Blight's bed, in consequence of what had happened: the bed-room where Examinant generally slept is over the counting-house, adjoining Mr. Blight's dwelling-house, and at that time there was no internal communication; but persons going from the dwelling-house to the counting-house were obliged to go into the yard. Since Mrs. Blight came home, she had a door opened which leads from the kitchen into the

counting-house; it was a cousin of Mrs. Blight's that directed this door to be opened: the reason why Examinant did not have done, was because he did not like to make any alteration; but when it was done he had no objection to it, as it was a convenience, and prevented their going out in the dark. Examinant further says, that when he sat with Mr. Blight in the parlour, who grasped his hand as he has described, he took an opportunity to tuck his shirt into his breeches, pulling them up a little and buttoning them, as Mr. Blight sometimes held one of his hands and sometimes the other, and sometimes Examinant held him by the hand. Examinant further says, that the window shutters of the parlour in which he sat on the Thursday night were not in general shut until bed-time; but as he was very tired and intended to go to bed very soon, he told the maid to fasten the windows when she brought the candle, which was about half past six. Examinant then had his tea, intending to go to bed immediately, but Mr. Edridge, a coppersmith, and a gentleman from town, called upon him. Mr. Edridge and Examinant drank a glass of grog, and the other gentleman took a glass of wine and water. They stayed better than an hour, and when they went away Examinant found his stomach quite faint and empty, not having eat any thing with his tea; and after his drinking the grog, which Examinant thought gave him an appetite, he fancied and sent the maid for some oysters.

28*th September*.—Further says, That no money transactions have passed between him and Mr. Blight within this month, except a few bills which he has paid for Mr. Blight; only small bills; that he never paid any money in to Mr. Blight's bankers, and was not to have paid any considerable sum lately; Mr. Blight never entrusted him to pay any money into his bankers, nor was he to pay any money in on his account; that about six weeks ago

Examinant opened an account with Willis, Percival, and Co. bankers, Lombard-street, and paid in about 2000l. in cash and bills, 1400l. of which Examinant received in bills of Mr. Blight, and gave him an undertaking to pay a bill drawn on and accepted by Mr. Blight in favour of Mr. Annin, for the purchase of the ship Manship, which Examinant believes will become due about the 10th of next month. Examinant never saw the bill; the book will shew when Examinant received the bills of Mr. Blight, as he paid them into his bankers the day after he had received them of Mr. Blight; 300l. of the other 600l. is also in bills, which Examinant had of Mr. Blight, and gave him cash for them; the other 300l. or thereabouts, was in cash. When the Examinant says cash, he means money and Bank of England notes, which he had by him, the produce of sales of timber, iron, &c. which his book will shew the particulars of—the book he left in the back parlour; part of it was cash Examinant had by him, but he cannot tell the amount of it: he had this part before he made any sales of the materials or stock that Mr. Blight made over to him.—Further says, That on Wednesday evening, after he was discharged from the Coroner, he passed about five or ten minutes at the Dog and Duck, with a cousin of his and another man, his acquaintance; they are both servants: a Mr. M'Duff called upon Examinant there, and he went home with him. Examinant not having eat any thing after he had his breakfast, and having drank part of two glasses of grog, found himself rather intoxicated.

October 1.—Further says, He sold an Estate called Knutwall, near Exeter, for 735l.; that Messrs. Shorts and Barnes, of Exeter, Attornies, drew the conveyance, which was made to one Parsons, and received the money, for it; they deducted the mortgage money nearly 300l. and paid Examinant the balance about March last; that he received about

70l. or 80l. more of Drake, for corn and other things, when the Estate was disposed of; says that he had also at his first coming into Mr. Blight's service, about 1200l. in cash by him; that from time to time he has lent most of that sum with other sums of money to Mr. Blight, until they had a final settlement on the 15th July last, when Mr. Blight assigned and made over to him the property mentioned in the bill of parcels produced by Examinant, and gave him a receipt for the amount, being in the whole 2065l. 4s. dated the 15th July last, and Examinant took possession and began the business on his own account. The next day Examinant gave Mr. Blight the bill of parcels and the receipt on the 15th July, and the next day gave him a letter, promising to procure a lease of the premises. Examinant has had the possession of all the three papers, namely, the receipt, the bill of parcels, and the letter, ever since, until he produced them on his former examination: says, that on the day the accident happened to Mr. Blight, he came to town about some business relating to the yard, and respecting some timber, to Mr. Grey of Water-lane, Tower-street, who had some oak plank from the yard. Examinant called to know how much more he wanted; but Mr. Grey was not at home. Examinant rode to the office, and asked if Mr. Grey was at home, they said no, Examinant did not come on any other business of more importance to Mr. Blight or any business at his request. Examinant does not know that any thing brought Mr. Blight to town from Margate, except the letter he sent stating the accident that had happened to him on the Thursday night. Examinant is certain he did not come to town on the Thursday night. Examinant is certain he did not come to town on the 25d on any business of Mr. Blight. Examinant says he knows a man of the name of Goom, but has had little or no transactions with him; he did not come to Goom on that

day; he never had a bill drawn on and accepted by Goom, or ever said so to Mr. Blight; he never had a check from Mr. Goom, or a bill on any banker from him. Mr. Blight did not tell Examinant not to come back without the money, or without having it settled. When Examinant got the spurs from Mr. Blight, and left him at that time, nothing passed with him and Mr. Blight about a check—there was no money transactions of any consequence between him and Goom. Examinant never told Mr. Blight about any money Examinant expected from Goom. If Examinant did expect any money from Goom, Mr. Blight had nothing to do with it. Mr. Graham was in company with Mr. Blight when Examinant went into the back parlour to ask Mr. Blight if he could do any thing for him in town. Examinant positively says, that he did not on the Monday come to Goom about a check, or tell Mr. Blight that he meant to do so; neither did he ever give Mr. Blight any check or bill of Goom's. Examinant admits he did tell the banker he expected a check from Goom; but Mr. Blight had nothing to do with it; it was Examinant's own property. Mrs. Blight knew of Examinant having the receipt and bill of parcels, and it was with her consent that Mr. Blight gave them to Examinant; but Examinant cannot say whether she was present when Mr Blight delivered them to him or not. Examinant is certain that Mrs. Blight knew every particular of the business, and that he had the papers; consequently she must know that Mr. Blight had delivered them to him on the night the accident happened. Examinant had a pair of light coloured breeches on, the same he has on now;—thinks he had boots on; cannot be certain whether he had on boots or shoes; believes he had shoes on, and dark-coloured stockings; has no other except two or three pair of old white ones, which he has not worn for some time, except sometimes on a Sunday; he can-

not be certain what stockings he had on; some of his stocking are marked, some are not. Examinant did not know that the maid had jumped out of the kitchen window until she came back, when she told him; he did not hear her jump from the window; the parlour windows were shut early. Examinant did not desire them to be shut: says the stockings now produced are not his; he does not recollect making his stockings so dirty as these are. Looks at them again. Says that most of his stockings are marked with common ink, and he does not think these are his. Charles, a man who works in the yard, slept with Examinant on the Wednesday night after Mr. Blight's death. Examinant recollects it was after Mrs. Blight came home, therefore it must be Thursday night.

3d of October. Further says, That he went to the privy two or three times after Mr. Blight was laid down on the bed, but he took no one with him to the privy. There were several people about, and he cannot be certain whether any body went into the counting-house or not, he is quite uncertain, and cannot recollect whether the maid, Esther Kitchener, went into the counting-house with him or not that night; he cannot say one way or the other, but, to the best of his knowledge he thinks she did not; he does not know that she did: says, that the receipt and bill of parcels, which Mr. Blight wrote and delivered to examinant, (as a form) was intended to protect Mr. Blight's family from the operation of a Deed of Trust, which had formerly been executed when Mr. Blight was under some embarrasment in his circumstances. Examinant, according to the agreement, was to have one-third part of the stock and business for 1250l. which he has paid to Mr. Blight at different times. When the account was opened by Examinant at the bankers, Mr. Blight said it was a small account, and could not I pay a check in, to make it look better upon the face of

it. Examinant replied, he could not tell. Mr. Blight said, if I was to give a checck in to make the account look better, it could be no harm if it was not paid; it would not be paid, he said, if there was no effects. In consequence of this conversation, Examinant drew a check upon Goom for 1000l. upon a piece of plain paper which he paid into the Bankers. Examinant had no conversation with Goom previous to his drawing the check upon him, nor had Goom any effects of Examinant's in his hands. Mr. Blight knew, as well as Examinant, that the check was not to be paid; it was his plan to make the account at the banker's look better. Examinant never told Mr. Blight that the check was paid. Ex aminant never told Goom that he had drawn a check upon him. It never was presented for payment. Examinant gave the bankers notice, with Mr. Blight's knowledge, not to present it for payment. Examinant says, that the reason he gave a former account so different to what he has given now, was with intention to protect Mr. Blight's family. Mrs Blight knew all the particulars, and so did Mr. Jones, the surgeon. Examinant told Mr. Jones before Mrs. Blight, he thinks on the Thursday after Mr. Blight's death.

Mr. STAFFORD *called again.*

Mr. Serjeant Best. Q. Who has the pistols that were taken from Mr. Patch?—A. I do not know.

Q. You have them, have you not?—A. No, I have not.

Q. What sized pistols were they?—A. Small screw-barrelled pistols; not pistols that that ramrod would suit; they are pistols that do not want a ramrod, they are screwed in.

Mr. Garrow. My Lord, that is the case on the part of the Crown.

Lord Chief Baron. Prisoner, if you wish to offer any thing for yourself, now is the time.

Prisoner. I beg the favor of your Lordship to permit the Officer of the Court to read this for me.

The Prisoner produced a written Defence, which was read by the Officer of the Court as follows:

My Lord,

Your Lordship will permit me, in the outset of my Defence, to express my gratitude for the exertions which you have used, in order to protect an obscure and most unfortunate man from the consequences of those numerous and unjustifiable prejudices that have been raised against him.—Whatever be the event of this prosecution, it must afford the public the highest satisfaction to hear, from your Lordship's conduct on this occasion, how anxious one of the first of their Judges is to secure to those who stand accused before him a fair and impartial trial.

Gentlemen of the Jury,

I could not enter upon my Defence without expressing my acknowledgments to his Lordship, for causing you to be summoned to this place, to decide upon my guilt or innocence, instead of suffering me to be tried by the Gentlemen impannelled during the Assizes at Kingston for that purpose; for however unprejudiced twelve gentlemen on a jury may endeavour to keep their minds, every man is taught by his experience, as well as his feelings, how extremely difficult it is to separate the account of the transaction laid before him in evidence, from that which he has heard from common report. Gentlemen, I trust, therefore, that you will not be, in the smallest degree influenced by any thing you may have heard out of this place. I ought, indeed, to implore your

forgiveness, for suggesting even a hint of the possibility of the minds of a Jury being drawn from attending to the evidence adduced; but the truth is, the man who has been so often pointed out to the fury of the public, apprehends hostility from every quarter, and naturally expects that every person who comes into Court is prepared to take part against him. We are taught by our feelings, and our painful experience, how reluctant the human mind is to relieve itself from errors to which it has submitted; but certainly in a case of such importance to the public and myself, I have no doubt you will divest yourselves of every thing you may have heard elsewhere, and attend to the evidence alone.

Gentlemen.—The Laws of England have, no doubt, placed every man accused of felony, under considerable difficulties, and in a situation of peculiar embarrassment, unknown to any other country. The Law permits the prosecutor to avail himself of the assistance of his Counsel, to lay his case before you, in the order most advantageous for the success of the proceeding, and to make such observations as are calculated to give the greatest effect to the evidence adduced by him. This privilege is denied by the Law to the accused; the Law does not permit any Counsel to speak to you in my behalf; and I am myself a plain unlettered man, unused to courts of justice, and unused to speak in public: thus situated, I am in no condition to give any answer to the case that has been made out to day, or to explain all the circumstances which have been argued upon by the Learned Counsel, for the prosecution. My Defence was necessarily prepared before my trial began, and is applied only to what I recollect of the Case as it appeared before the Magistrate, it being impossible for me to know of any other facts that were to be proved, or to anticipate any of the arguments to be raised on them. I must entreat you to bear that circumstance in your minds, as you may otherwise think there are points which I

ought to explain, to which I have not adverted. It is with this view I make these observations. I am far from meaning to insist, that the Law which denies to the Prisoner the assistance of Counsel, if rightly understood, is liable to the objection of severity and injustice; on the contrary, it is founded on the same justice and humanity which distinguishes the whole code of English jurisprudence: the principle upon which the practice stands is this, that all felonies were originally punishable with death, and no man was to be subjected to that dreadful sentence, until the crime was established against him by such satisfactory proof, that the ingenuity and eloquence of Counsel could raise no doubt in his favour.

Gentlemen.—The Case against me is merely circumstantial; it is not pretended that there is any thing which affords direct evidence of my guilt. No one but the deceased saw the man who fired the pistol, and the testimony he has left, clearly acquits me of being that person. There is no one circumstance, nor any chain of circumstances proved, which necessarily shews me to be the person who fired the pistol; and although jurors have some times thought themselves warranted in convicting on circumstantial evidence, yet it has been in cases where the circumstances proved, were such as excluded all possibility of innocence, and which therefore demonstrated his guilt as clearly and satisfactorily as if he had been seen to do the deed. Indeed, even in some of the strongest cases, where Juries have been indueed by circumstances only to convict a man, after the unhappy prisoner has paid the forfeit of his life for his supposed crime, it has been ascertained, that it had been committed by some other person, and often after such convictions, has accusing conscience forced from the murderer's breast a secret calculated to give the most solemn warning to those who are appointed to try supposed offenders, to move with fearful caution in the course that leads to death.

Gentlemen.—When you consider that circumstantial evidence consists of a chain of proofs, connecting, by the interposition of various facts, two things which have no connection with each other, you will readily perceive how dangerous it is to rely on a Case, proved by such evidence. If any one link be defective, the strength of the whole chain fails, and although the broken members may be sufficient to create suspicion, they can, in no rational minds, induce conviction. All hope of that moral certainty which alone can authorize you to say on your oaths, that a man is guilty, is gone the moment the least disagreement in the connecting points is discovered; the moment the least doubt of the existence of any one of them is excited. Reflect again on the union of the various circumstances upon which the strength of each link depends, and see if it be scarcely possible, that a chain consisting of so many facts as to require a long day to lay them before you, and those proved by thirty or forty witnesses, can be perfect. Remember, that upon each circumstance, however minute, you are to satisfy yourselves of the credibility of the witness deposing to it, upon the accuracy of his first observation, of the correctness of his memory at the time he relates it, upon its agreement with some other circumstance, the chain of proof, and the justice of the inference drawn from it, to establish guilt. If you, or any of you, are not satisfied on any of those points (for the whole twelve must agree), the union of the whole, that alone gives strength to such a Case, is dissolved, and the presumption of guilt is destroyed: but allowing every circumstance that has been stated to be true, still the charge against me remains unproved. Referring to what passed before the Magistrate, for my knowledge of what is to be attempted in proof against me, I take it to be on the establishment of these three propositions:—first, That I had a motive to induce me to the commission of the murder;

—Secondly, That I had an opportunity of committing it;—and, Lastly, That no other person could commit it.

With respect to my having a motive to commit such a crime against a person with whom I lived in terms of so much intimacy and affection, God knows I shrink back with horror at the idea; it is painful as death to me to be obliged to discuss this proposition; no thought injurious to him for an instant ever presented itself to my mind; so far from intending him any mischief, if my own life could have preserved him from the hand of the assassin, that should have been made a willing sacrifice; instead of my having any motive to destroy it, not only past acts of mutual kindness had formed our attachment, which no clashing of interest could ever impair, but at the time of his death his life was absolutely necessary to the welfare of myself and my family. My interest, as well as my regard for him, were sure pledges for his security against any attempt upon his life from me. My success in life depended on his living; at this time I expected, from his support, a return for the time and the money I had embarked in his concern. I was just admitted to a share of his business. A stranger in this part of the country; unacquainted with the persons with whom Mr. Blight dealt—of what use was that share of the business to me, in the event of his death: how could I expect, without him, to obtain the credit that was necessary to enable me to purchase ships; or how was I to hope for connection with persons to whom I could sell again the property which I had bought. The life and friendship of Mr. Blight secured to me those advantages:—by his death I was deprived of them, and rendered incapable of carrying on the business. Let it not be supposed that my interest in this trade could have been enlarged by his death. His representatives would have been entitled to his share of the capital under the will, and as the whole capital

was necessary for carrying on the trade, their share of it would have given them the same proportion of the profits which Mr. Blight himself would have received, while the whole profits would have been lessened by the want of his assistance. So far, therefore, from his death affording me any expectation of advantage, it presented to me the certain ruin of all my prospects in life. It has been suggested against me, that I was driven from my native place by poverty and distress: it is true, I was involved in a suit, about the tithes of my estate, which subjected me to some temporary embarrassment, but it is not true that I was reduced to a state of ruin; or that I had not property sufficient to establish myself again in business. I had an estate in land, and I had a well-stocked farm when I left the country. I went down into the country after I first came up to Mr. Blight's and sold my stock, and last spring I sold the estate, the money for which was remitted to me; but I have suffered a long imprisonment; the expences of myself and my children, of which I have four, together with the necessary expences of my trial, have disabled me from bringing up a number of witnesses from Devonshire, who could have proved that I had property, which has been long since converted into money, and which I have, at different times advanced to Mr. Blight. With this property in my pocket, I determined to acquire a knowledge of the business of ship-breaking, and with this view, and not for the mere purpose of supporting myself by my labor, I entered into the service of Mr. Blight. It appears, from the whole of the evidence, that though I submitted myself to be in the situation of his servant, I had lent him several hundred pounds; and this is a fact Mrs. Blight acknowledges. I could have placed myself in some sort of business, and been relieved from the necessity of working for my bread. My chusing to work, and to become Mr. Blight's servant, under the circumstan-

ces, is no proof of my poverty, or of my being unable to pay for the share of his business which I afterwards purchased. I had more than 1300l. and had actually advanced to Mr. Blight 1250l. before the execution of the agreement of the 31st of August, by which one-third of his business was secured to me. The death of my brother, who was the only friend I had in London, beside Mr. Blight, whom I consulted on my affairs, has deprived me of positive evidence that I had property to that amount. Mr. Blight, and he only, ever knew it had been advanced to him; and though my claims upon him on account of such advances were satisfied, by his assigning me one-third part of the business, it is no direct proof that he ever received such money. If any of you were to lend money, and the debt was afterwards cancelled, by something being given in satisfaction of it, you would no longer preserve any voucher of the loan: but there were many circumstances connected with the affairs of Mr. Blight that renders it impracticable that any person but himself should know of those advances, and which would prevent any evidence of such advances appearing in his books. He had many private expences, of which even Mrs. Blight was uninformed; he had several natural children Mrs. Blight did not know of; he was a man of gallantry, and expended considerable sums on women. Before he got into the ship-breaking business, he had been a merchant, and failed, and he was frequently pressed by the creditors of his former concerns; he executed several instruments, and made various alterations in his property, for the purpose of protecting it against their claims; therefore, from the papers of such a person no satisfactory evidence can possibly be expected; on his statement as to his claim, or his declarations as to any instrument, no reliance can be placed; many apparently solemn instruments were undoubtedly fictitious; as for example, the assignment of the

15th of July, and all other papers connected with that transaction. Who can say what instruments were genuine, or what was the real cause or actual purpose of the execution of such documents? The 1250l. which was for the purchase of one-third of the business was paid him before that business was assigned to me. On the 15th of July, when he conveys his property to me to protect it from his creditors, he there values it at 2065l. 4s.; the real value as it appears, was 3315l. It would have been valued to me in this transfer at the price of 3315l. had it not been known that I had before that time paid 1250l., which added to 2065l., makes up the whole 3315l. As he had received from me the 1250l. I was to have an interest to that amount in the business, and the 2065l. that was mentioned in the transfer, was to be revested in him when we came to a final settlement. On the 30th of August, when that settlement took place, he takes two-thirds of the trade for this 2065l. and leaves me one-third for my 1250l. From neither of these instruments is there any appearance of any thing remaining unpaid on my part; every thing respecting the transaction, as appears by the instruments, was closed. It is supposed that the 1250l. was paid in part by a check upon Mr. Goom; but it is perfectly incredible, that Mr. Blight, who had been engaged as a merchant all his life, should take a post-dated check of me, on a person he did not know, in payment of the sum of 1000l., and that without ever enquiring of Mr. Goom, whether I had any right to drawn upon him for it.

But there is a fact which shews better than any speculation, that no part of the 1250l. was paid by the check upon Goom, which is that the check was not in existence, or thought of till near two months after the transaction of the 1250l. was completely settled. I think I have proved by the assignment of the 15th of July, supported by the

agreement of the 31st of August, that all that money must have been paid antecedent to the 15th of July, and the check was not made till the 7th of September, when it was deposited in my name at the bankers, as appears in their account, and the testimony of Mr. Percival. If this check had been drawn for the purpose of paying any part of the purchase-money, that had been agreed to be paid for my third of the business, would it not have been drawn at the time I was put in possession of the business. There is another circumstance, which I trust will satisfy you that the check was never intended for the purpose of paying Mr. Blight. The business was valued at 3315l. of which I purchased one third at 1250l.; that 1250l. could not be intended to form a part of the capital of the business, but was to go into the pocket of Mr. Blight, where, in fact, it had gone in different advances. If it had gone into the capital I should have had a third-share of the capital of 4565l. which it is clear neither of us could ever have intended. The 1250l. being for Mr. Blight's separate use, and not a part of the capital of the trade, none of it could have been paid into the bankers', in my name; and therefore the 1000l. check which was paid into the banker's, could not have been part of the 1250l. as is pretended, on the part of the prosecution: in fact, that check was only one of the many fictitious papers which the state of Mr. Blight's affairs rendered necessary; it was drawn for no other purpose than to keep up appearances at the bankers, and to conceal the real state of his affairs, and whatever Mr. Blight might have said respecting it, it was merely to give credit to those appearances. A merchant surrounded by clerks, who record every concern relative to his business, would be enabled, by the evidence of such clerks, to lay before you such a statement of his affairs as would shew the amount of the property he was at any time possessed of; but can this be expected from a man who has no such

assistance; is it fair to infer, that a man, by his poverty, has been urged to the commission of a capital crime, because he cannot, by a regular debtor and creditor account, establish the exact amount of his property. If I had laid out or advanced my money upon loans, I could have called persons to prove it, but I cannot call Mr. Blight from the grave to prove what advances have been made by me to him. What can I do more than I have done; that is, to advert to the assignment, which proves, that he did assign to me a third share, and that that share was paid for. I should hope you will think this such a proof of the application of property, in satisfaction of all demands of Mr. Blight, that is not to be shaken by vague declarations, or loose and idle conjectures; if you feel this, you will perceive I had no debt to cancel; and that I had no interest to advance by killing Mr. Blight; that, on the contrary, his death was destruction to all my hopes, with respect to that business in which I had embarked my property.

The next proposition advanced as a proof of my guilt is, that I had an opportunity of killing him.—Opportunities I have had enough, if I could ever have attempted so wicked a thing: from the circumstances in which we lived together, I could have done it when no one was nigh, and when no vestige of my guilt could have remained. I knew when he was at home alone, and when and where he went abroad: if I had been the person, should I have chosen to have committed the crime at a time when there was a witness upon the very spot, who could detect my guilt, or should I have done it by means of an instrument which must necessarily have alarmed the neighbourhood. The man who murdered Mr. Blight did not know that he should have been able to get into the house, much less did he know that Esther Kitchener was sitting within five yards of him; but he found the outer as well as the inner door open, owing to my having gone to the privy,

and was led by the light to the room in which Mr. Blight sat. So far from my having an opportunity of doing it, it is quite impossible I could have done it. Esther Kitchener says, I was in the privy at the time the pistol was fired, and from the model you will see it was impossible that I could have discharged any pistol from that place, which could be directed to the room in which Mr. Blight was sitting; I could not have got from the privy to any situation in which I could have fired at him for a considerable length of time; from the situation in which Esther Kitchener was placed, she must know whether it was possible for me to have accomplished it; she has said, that my shutting the privy door and the firing of the pistol were at the same time; the kitchen where she sat was directly between the privy and the spot from which the pistol was fired, and her situation was only a few feet from either of those places, she therefore had the fullest means of knowing what she has said upon that subject. I solemnly protest that her account of it is correct, and that I had not the opportunity, and therefore could not be the murderer; for it must be admitted, that if Esther Kitchener's account of hearing the report of the pistol and the shutting of the necessary door be correct, it is impossible I can be guilty. But it is said people often measure time incorrectly: true, I admit it, if the interval between the two events is long, but if it happens instantly with the other, there can be no mistake.—Much stress has also been laid upon my language and demeanor afterwards; but is no allowance to be made for the agitation of mind consequent upon such a scene; and does not the language and demeanor of every person afford different conclusions, according to the medium through which they are viewed. If my conduct is viewed through an impartial medium, it will be seen that I could not be the guilty hand: if I had, should I have called in all the neighbours? should I have suffered every

one to have seen him? should I have run the risk of what he could or would say to the neighbours upon the subject? It is not in the nature of things that a person who has murdered another should conduct himself in such a way; it is not in the nature of things that he should call in witnesses to see what he had done: but as soon as the shot is fired, and while Mr. Blight retained his senses and his speech, I sent Esther Kitchener to alarm the neighbourhood. Did any man ever hear of a supposed murderer giving the first alarm, and that while the person was in a state to give evidence against him; but the deceased has left behind him evidence that puts it beyond all doubt; the person, whoever it was, must have been full in the view of the deceased; the door of the room in which the deceased was sitting opens from the left hand, and he sat in a part of the room opposite the right hand side of the door, and therefore to enable a person to fire at the deceased with his right hand the door must have been opened wide enough to present the whole of the body of the person firing to the view of the deceased: it is well known that I make use of my right hand upon all occasions, and therefore the door must have been open wide enough to expose my whole person; and if, as most probable, the murderer advanced nearer to the deceased than the door, the observation that he must have seen the person who shot him is still stronger: Mr. Blight knew my person well, he had seen me but a few minutes before, and must have known if I was the person from whom he had received the wound; on the contrary, he never suggested any such thing, but continued to shew the greatest regard and kindness for me, and appeared uneasy whenever I was absent from him; and by his will, the last solemn act of his life, he sealed his conviction of my innocence and integrity, by appointing me one of his executors.

The third proposition is, that no other person but

me could have done it. The evidence in support of this proposition completely fails; both on the Thursday night and Monday night, it appears there were sufficient opportunities for the person who fired the shots to escape from the premises of the deceased; the timber in the yard afforded many places in which he might have concealed himself; the premises were not searched on the Monday evening till some time after the pistol had been fired, not till after the maid servant was gone out to procure assistance; during this interval what witness has stated that the murderer could not get away with ease over the gates? There are no less than three avenues which would have conveyed him out of the reach of detection, one directly facing the gate, a second to the right hand and a third to the left. I think it is most probable that on both nights the person must have stood some short time in the yard, because he must have heard persons passing by in the lane, particularly on the Monday night, when there were five persons, and one with a link, he must have expected they would stop him, as he got over the pales; but supposing him to have waited for a few moments, as he naturally would when he heard persons in the lane, there was nothing to have prevented him from getting away. The persons who were in the lane did not continue there for any length of time; the two young women of the name of Davies, after stopping on the Thursday night, as they say, two minutes, passed on, and Michael Wright and his wife, the only persons near, went into the house with me, which gave the murderer an opportunity to escape. I cannot leave this part of the case, without stating that this shews the inaccuracy of the recollection of witnesses, and is a proof of the danger of relying on a case made out by a long string of facts, none of which, taken separately will make very strong and lasting impressions. The two Miss Davies's say they stopped two minutes in the lane; they heard no noise but the report of the pistol, or saw any person come of

the premises; Wright says he heard a pistol near the watch box, that he was at the gate in half a minute, and found me standing there, which is stated to you as a proof that no one but myself could have fired this shot. This is sufficient to shew you how little reliance can be placed upon such testimony. If you consider this evidence, you will see that it is not sufficient so to shut out the rest of the world as to leave to me alone the possibility of doing this act. No man can number his enemies, or know the lengths to which those may go who feel particular animosities. Gentlemen, it will not be expected from me that I should touch upon every little point or explain every expression I may be said to have used; having disposed of the main parts of the case, all circumstances of more minute importance will, I am sure, vanish from your observation, and you will not rely upon loose broken conversation; no conversation can be relied upon, unless you have the whole that was said, and all the circumstances under which it was said.

Gentlemen, my fate is now in your hands, as you decide I live or die: so completely subdued am I, by the long imprisonment I have suffered; so galled and mortified by the slander with which my ears have been assailed during my confinement, that looking to myself alone, success or failure, life or death, are to me almost equally indifferent; but unhappily I am not permitted to think of myself only, I have four young children whose destinies are linked with mine, and depend upon me entirely for support: if I fall they will be left to complete and absolute beggary. I know their ruin could not and ought not to avert my fate if the case were proved against me, but if there be a doubt let them have the advantage of that doubt, and restore to them their natural protector. Nothing more remains but for me to declare, which I most positively and solemnly do, my innocence of the dreadful crime imputed to me by this indictment.

EVIDENCE FOR THE PRISONER.

JOSIAS SLEE *sworn.—Examined by Mr. Serj.* BEST.

Q. Where do you live?—A. At the bottom of Tooley Street.

Q. What are you by business?—A. An Ironmonger.

Q. How long have you known the Prisoner at the Bar?—A. Two years and a half.

Q. During the time you have known him, what has been his character?—A. I never heard any thing amiss of him in my life.

Q. Has he borne a good and respectable character?—A. Yes, he has for any thing I have known.

JOSEPH HUFFAM *sworn.—Examined by Mr. Serjeant* BEST.

Q. What are you?—A. A Stationer and Ship Chandler, and a Dealer in Ship's Stores.

Q. Where do you live?—A. In Tooley Street.

Q. How long have you known the Prisoner?—A. Three years.

Q. During the time you have known him what has been his character?—A. From what I have heard from Mr. Blight, every thing that is honourable.

Q. What has been his general character?—A. His general character I only learned from Mr. Blight, upon a very particular circumstance.

Mr. Serjeant Best. That we cannot hear.

RICHARD POOLE *sworn.—Examined by Mr. Serjeant* BEST.

Q. What are you?—A. I have been a Builder.

Q. Where do you live?—A. In Bermondsey.

Q. How long have you known the Prisoner?—A. Ever since the middle of last September twelvemonth.

Q. Have you known him intimately?—A. Not intimately, no otherwise than dealing at the yard.

Q. From what you have known of him what has been his general character.—A. I always looked upon him to be a very industrious careful man.

Q. What character has he borne for humanity?—A. I never had any thing to do with that; I have heard him making a bargain with the men, and he seemed to be very humane in making a bargain.

SUMMING UP.

LORD CHIEF BARON,

Gentlemen of the Jury, It has been very truly stated in the extremely perspicuous opening of this case which you have heard, that it requires more attention perhaps than any that has ever presented itself before a Jury; at least in the course of my observation I have not met with any that required more of your best attention and investigation than that which is now laid before you for your consideration.

Gentlemen, before I proceed to lay this evidence in a connected state before you, I will make a few observations upon the nature of the evidence that has been adduced; it is, it is true, what is usually called circumstantial evidence; that is, it is evidence in no part of which there is direct proof of the fact being committed by the individual charged; but that must often be the case, and it very frequently happens in cases in which the crime is that which is now imputed to the prisoner at the bar; for there are very few persons who do things of a premeditated nature without taking all the care they can that no direct evidence shall be in the power of the prosecutor to produce. With respect to cases where the evidence is circumstantial, when the circumstances connect themselves closely with each other; when

they form a strong and a large body, carrying conviction to the minds of the Jury, it is perhaps of a more satisfactory sort than that which is direct and positive. In many lamentable instances it has been known, that a short story has been got by heart by two or three witnesses; they have been consistent with themselves, and consistent with one another, swearing to a fact which has afterwards turned out not to be true; but it is impossible for a variety of witnesses speaking to a variety of circumstances, so to concert a story as to impose upon the Jury by a fabrication of that sort; and therefore where the evidence of circumstances is strong, cogent, and powerful, where the witnesses do not contradict each other or themselves, it may be more satifactory than direct evidence, and there are more instances than one in which that has been the the case.

The question you will have to decide will be, first, whether the witnesses are consistent with themselves, secondly, whether they are consistent with each other, and, thirdly, whether they lay evidence before you such as to bring conviction to your mnids.

Gentlemen, on the part of the prosecution your attention, for the sake of perspicuity, has been called to three distinct things; the first is, a system of fraud and deception upon the deceased, and the inference drawn from that is, that no good case can possibly have so rotten a foundation; the Prosecutor means to bottom himself, in shewing you that fraud and deception was carried on for a considerable time upon Mr. Blight. The second is, that the firing of the pistol on Thursday the 19th, was an entire contrivance, and was premeditated as an introduction to that which happened afterwards, and which ended in the death of Mr. Blight; and, the third point, is the motive ascribed to this act.—Gentlemen, the motive is stated to be this, That the Prisoner, who was a man in poverty, had worked himself into the good graces and opinion of his master, so much

as to be admitted a partner in the trade; he was to have one-third of the profits of the business, £1,250 was to be paid for coming into it, and that he paid £250, £1000 remaining unpaid; that there was one continued series of deception with respect to this; and when it came to the pinching day, and when he is told he must go and get the money, and not come back without it—that the desperate hope of getting into the third share of the business without the payment of that 1000l. was the motive to get rid of Mr. Blight, to get his share of the business, and never to pay the 1000l.

Gentlemen, you will attend to those three points while I recapitulate the evidence; in order to establish which, the first witness who is called is Richard Frost. He tells you he keeps the Dog and Duck, which is about 60 yards from Mr. Blight's premises, that between 8 and 9 o'clock in the evening on which Mr. Blight was shot, Esther Kitchener, the servant of the deceased, came to him; that he went directly to Mr. Blight's and found the gate fast; he says he did not try the wicket, but got over the gate; he then went towards the front door, but does not remember whether it was open or not; he saw Mr. Blight sitting in an arm-chair in the back room, on the left-hand side of the fire-place; he saw the Prisoner standing in the room; that Mr. Blight was apparently in pain, supporting himself by his hands in his chair, and that in a minute or two the Prisoner desired him to go for Mr. Jones the surgeon: he says he stayed with Mr. Blight at intervals, from time to time, till he died, at three o'clock the next day.

Mr. Ashley Cooper was called in, who I believe is experienced in gun-shot wounds: he tells you, that about three hours after Mr. Blight was wounded he was called in; he found him lying on the floor; he ordered every one to go out of the room except Mr. Jones the surgeon, Mr. Younger, who was also a urgeon, the Prisoner, and a Mr. Ferguson; he ex-

amined his wounds; he found one on the part of the body about two inches from the navel, and another on the loins; he says, that the character of a gun-shot wound was visible in them, that he saw the contents of the bowels pass out of each wound, and therefore pronounced it to be mortal; he says, he thought it necessary to make some enquiry as to the person who might have done this: he said to Mr. Blight in the Prisoner's presence, Is there any person whom you suspect of having committed this act? his answer was, No, God knows, I never did any man an injury that could lead him to wish to take away my life; but Mr. Patch has mentioned to me a man of the name of Webster. He says he turned towards Patch, and said, who is this Webster? The Prisoner anxiously said he was a man who had been suspected of having robbed the premises, that a search warrant had been taken out against him, and that his son had since absconded; this was said to shew that there was no great degree of improbability that some man had done this from a motive of revenge. Mr. Cooper then said, surely you should send to Bow Street, the premises should be again searched; to which the Prisoner answered, No, for nothing will be found; and if nothing should be found I shall certainly be shot, or they will certainly shoot me, or words to that effect.—Now, the observation made upon this is, that it was one of the most natural things in the world when a friend came in, and was told that his friend was murdered, when a proposition was made to make the earliest possible enquiry, that there should have appeared some anxiety instead of that indifference expressed by the Prisoner, saying, that nothing would be found, and if nothing was found that he himself would be in peril.—Mr. Cooper says, that he spoke to Mr. Blight respecting his will, he suggested to him in as delicate a way as he could the necessity of settling his affairs; Mr. Blight expressed a desire that a person of the name of Ferguson, and also the Prisoner, should be added as

executors to his will; he introduced their names into the will; he says, that some interlineations were made in it, which Mr. Blight with much effort signed. Soon after six o'clock the next morning, the Prisoner came to him, and told him Mr. Blight was in great pain, and was anxious to know if he could do any thing for him; he said he was afraid it was impossible, but he went and found him in a great deal of pain, and his belly very much swollen; he soon after left the house, and about four o'clock in the afternoon returned and found he had been dead about three quarters of an hour: he says the wound was undoubtedly the cause of his death. Mr. Cooper observed, that it was proper the will should be deposited in safe custody, and the Prisoner pulled it out of his pocket and delivered it to Mr. Brent.

Gentlemen, having ascertained what was the cause of Mr. Blight's death, which was necessary to be proved, we come now to the first transaction, which was the firing of the pistol on Thursday the 19th. Several persons have been called to prove to you that they were in such a situation that if any person had come out of the premises they must have seen them; they undertake to say that no person did, and the inference from that is, that it must have been done by some person within the house, or on the premises; it appears that no person was there but the Prisoner and the servant maid, and she was sent out on an errand by him, that is the general inference.

Ann Louisa Davies says, That on the 19th of September, between 8 and 9 o'clock, she came past Mr. Blight's premises; that it was dark, that she was beyond the gate that was at the angle, where she could just see the gate, that there were three other women in company, that she saw the flash of a pistol and heard a very violent report, it appeared to be on the right hand upon Mr. Blight's wharf; she does not know from what part of the wharf the pistol was fired; she stood still about two minutes; she neither

saw nor heard any one on the wharf; that if any person had got over the pales she was in such a situation that she must have seen them; that no one in point of fact did get over, and that she heard no noise in Mr. Blight's house; she went on towards Rotherhithe, and got to the Dog and Duck, which is kept by Frost, where she saw some persons, but did not stop.

Martha Eliza Davies says, she remembers the pistol being fired; she saw no one on the premises or coming from them; if any one had come from the premises she must have seen them.

Michael Wright says, he lives in Russel Street, Rotherhithe, Greenland Dock; that he was returning from Deptford on the night of the 19th, about ten minutes after eight o'clock; that about 60 or 70 yards before he came to Mr. Blight's gate there was a man lying in the road, drunk; he told him he had better get up and go home; that he then had some conversation with another person who said he had been speaking to him and had desired him to get up but he would not; that he then heard the report of a pistol; that he did not see any one else except Patch, who was standing at the gate; that he asked him if he had seen any one running down between the alleys, he says he must have met any one who came from towards the gate. The Prisoner then said, I wish you would step in with me, for somebody has fired at me, or I have been fired at. Accordingly the gentleman went in, and the Prisoner said, I will fetch a candle and shew you where the ball went through; that he took the candle to look for the ball, but could not find it: the maid servant then came in with some oysters, and Patch said to her I have been fired at, Esther, since you have been out. He says he took the candle again to look for the ball, when Esther Kitchener picked up a ball, about four feet from the window, which appeared to have been flat-

tened; that the Prisoner and he then went into another parlour. Then follows another circumstance which has been much remarked upon, as shewing that there was no real apprehension going on in the Prisoner's mind at this time, but on the contrary that it was a pretence, and that he was not conscious and did not believe that there was any real firing at him by a stranger; for Wright asked him if he should fetch any body to sleep in the house, because he thought it was very alarming; he said he need not give himself that trouble, that he was much obliged to him but he did not accept the offer. The witness said it might have come from a police boat, intended to be fired at smugglers; the Prisoner said, no he did not think that, and was satisfied that there would be no more of it. The witness said, if I was you I would advertise it, upon which the Prisoner said, you may depend upon that, I will bid 50l. reward, but which never was done. Then Wright says, he fetched Mr. Frost, and he asked the Prisoner if he had any fire-arms in the house? He said he had a pair of pistols that cost five guineas. The witness said they must be very good ones at that price: the Prisoner said he had no ammunition, Frost said he would supply him with ammunition; and they went out with the Prisoner. Upon his cross-examination, he says, the watch-box is about 60 or 70 yards from the gate; that he passed on immediately when he heard the noise, and found the prisoner standing at the gate; that there is a road leading to Deptford on the left hand, to Rotherhithe on the right, and another facing the gate leading to a public road; that he was more than half an hour in the house examining what the prisoner shewed him.

Mr. Frost is again called, and he says he was fetched by Wright on the Thursday night, that he saw the Prisoner standing in the front parlour; that he asked the Prisoner what was the matter? He said he had been sitting in a chair close to the table, and

had been shot at; the witness asked him where he thought it came from, he said he did not know; he asked him if he suspected any body; he said, no; he was asked if he had any fire arms; he said he had, but he had no ammunition, upon which Frost told him he would give him powder, and would endeavour to find him ball; upon which the maid servant came in, and said, Mr. Patch, there are no candles: the Prisoner said, Mr. Frost will lend you some: they all came out of the room, shut the door, and went to Frost's house; he asked the Prisoner if he would accept of powder and ball; he said never mind he would go home to bed, for the villains would be there no more to-night.

Mr. Kinnard proves that the plan and the model describing the premises are correct; he says that the palisades would bear a very slender force; he says there was under the close paling inside, a quantity of old timber, in some places about six feet high, in others five feet six. Mr. Frost tells you, that in the front of the house the depth from the edge of the wharf is ten feet, that the mud is very loose, and that any person must have sunk up to the middle.

Now, Gentlemen, the next witness is Esther Kitchener: she says, she lived with Mr. Blight about two months: that the family consisted of Mr. Blight and his wife, herself, and the Prisoner; that her mistress went to Margate, and her master also; that he left home on Thursday the 19th of September; that the Prisoner accompanied him part of the way when he was going to the coach, the Prisoner returned home in the course of the morning: she says, that the family used to sit in the back parlour, and did so for seven weeks; that she and the Prisoner only were at home; that in the evening the Prisoner was sitting in the front room, she was ordered to go out for oysters; that she was gone about 9 or 10 minutes; that she had to go about twice the length of the room in which we are now

sitting; she then returned with the oysters unopened; she saw some persons near the gate, that turns out to be Mr. Wright and his wife; the Prisoner said, is that you Esther? I have been shot at: she said, Lord have mercy upon me! where? He said through the window: she says, she had fastened that window by his direction, earlier than usual; the Prisoner said he was very poorly, and should go to bed soon; the shutters were outside wooden shutters; the Prisoner sent Mr. Wright to fetch Mr. Frost; they then looked for the shot, and found it underneath the window through which it had come; that the Prisoner said he did not know that he or Mr. Blight had any enemy in the world: she went to Mr. Frost's for a candle; she says there was no search made that night that she knew of; the Prisoner usually slept over the compting house, but that night he slept in Mr. Blight's bed, for her protection; she says her master came home from Margate on Monday, about seven o'clock in the morning; that he went out after breakfast, and that after that, the Prisoner went out on horseback; that the Prisoner had boots on; that he usually wore boots; that she saw the Prisoner afterwards with her master in the back-room, where they had not sat for seven weeks before; she says, the Prisoner had shoes on, and white stockings, she did not observe whether they were ribbed or plain; the gates were made fast after the men left their work; that the front door shuts by a spring lock; that she was in the kitchen; that after tea the Prisoner and her master were drinking grog; that the kitchen door is nearly opposite the door of the back parlour; that she could not see the parlour where she was sitting; that about half an hour after she had carried in some water for them to make their grog, the Prisoner came into the kitchen and asked for a candle, and said, Esther give me a candle, I have got a violent pain in my bowels; she gave him a candle, and he took the key of the counting house

from the dresser; he went out at the door, she heard him open the counting-house door; she heard him slam the door after him, which sticks if you shut it very hard; she heard him go across the counting-house very quick, and heard him slam to the privy door; and her words are, that at the instant she heard the privy door slam to, she heard the report of the pistol: she says her master came into the kitchen, and said, Esther, I am a dead man; she said she hoped not; she screamed violently, and ran and shut the street door, which was left wide open; that upon her return half way to the parlour door she heard a violent knocking at the street door; that the Prisoner was there, that his breeches were unbuttoned; that he had light-coloured breeches; she supposes he was holding them in his hand, but cannot speak positively; he said, Lord have mercy upon me! what is the matter? upon which she said, My master is shot: the Prisoner and she helped him into the parlour, where he had been sitting when he was shot; she does not recollect whether they had one or two candles; the Prisoner desired her to go and fetch assistance; she said she was afraid to go; the Prisoner bid her take Mr. Blight's hand and he would go; she said no, he should not go; she was afraid to be left alone; that she would jump out of the kitchen window; she did so, and Frost jumped over the gate; she did not see any body as she was going to Frost's or returning; she says she was examined before the Coroner; the Prisoner had some conversation with her; he said he did not know what was the matter, there were strange ideas, and told her to speak the truth, and nothing but the truth; this was the night before the Coroner sat; that no one had been taken into custody at that time; she does not recollect any other conversation that passed; that the Prisoner and her master went out just to the door together, and that they were out as long as might be occasioned by their making water.

Now, Gentlemen, a great deal depends upon the sense that should be put upon the words this woman uses, with regard to the admeasurement of time; it has been truly observed that there is nothing we are so little in the habit of measuring with correctness as small portions of time; it would surprise any one to observe, by a watch that marks the seconds, how much longer a few seconds really are than people conceive; any one may easily try it; but when we speak of a minute or two minutes, or an instant, we cannot be understood to mean more than a very short space of time, and therefore we must conceive this woman to mean no more than that a very small space of time had elapsed between the firing of the pistol and the slamming of the door; it will be for you to consider under all the circumstances;—the distance has never been particularly measured has it?

Mr. Garrow. Yes, my Lord, but I do not recollect what the distance is.

Lord Chief Baron. There are several turnings; in the first place you go through two or three apartments; the door of the counting-house was to be unlocked, and he was to return again from the privy to the place where the wound was given, in that space of time which the witnesses have represented to you did elapse.

Mr. Serjeant Best. It appears from the plan it was 64 feet,

Lord Chief Baron. That is 20 yards; that could be run in a very short space of time, much less than a minute.

Gentlemen there is another circumstance to which your attention ought to be called; the evidence given by this woman is, that notwithstanding as the prisoner would have you understand, and as Mr. Blight understood it, there had been a firing on the Thursday preceding, yet that this door is left open, and if the person who went out had an intention to make the way as clear as he could to effect that pur-

pose, if speed and expedition were what the prisoner desired, and if he was the person who actually fired the pistol, he certainly contrived to leave the door open, so as to meet with no embarrassment on that account.

Gentlemen, the next witness is Christopher Morgan: he says, he was passing by Mr. Blight's premises about twenty minutes before nine on the 23d of September; when he came to the gate he saw two lads; that James Berry was with him; that he went in with Berry and knocked at the door, the servant asked who was there; the witness said a friend wishes to render assistance; he saw Mr. Patch coming from the parlour door, where Mr. Blight was; that he began to relate the circumstance of Mr. Blight being shot: he started at his beginning to tell a long story, but the witness interrupted him, and told him he thought no time should be lost in searching the premises; that he asked him for a light, that he ordered the servant to give him one; that he followed him to the door with a lighted candle in his hand, and pointed to an old vessel, saying they had better search that vessel first; that when he pointed to the vessel and directed them to search there, he parted from them, and the witness did not notice where he went: he says when he got to the edge of the wharf, he and Berry judged that the vessel was about sixteen feet off, and no access whatever could be had to it; it was low water, and he examined the mud the whole length of the wharf; it appeared to be smooth like ice, and not the least disturbance upon it. From this circumstance it must be supposed that the Prisoner knew what was the situation of the tide; that it was low water, and absolutely impossible that any person could have escaped that way: he says, they then proceeded to search the premises; he thinks it had been raining as the yard was dirty, then they returned into the house; he says, he saw Mr. Blight; that he said to him in the hearing of the Pri-

soner, Sir, in the awful situation in which you are, it is necessary that you should collect your thoughts, that some measures may be taken to apprehend the person who has done this: he pressed it upon him, whether he had offended any of his work people, who were of the lower order, or whether in the course of his connection in trade he knew of any one who owed him any ill will? he answered, no. He says, he then repeated the question to the Prisoner, as he was lying on his face, holding a bottle to Mr. Blight's nose, which he did the greatest part of the time that he the witness was talking to him; he wished the Prisoner to commission him to go to Bow Street: the Prisoner said, he did not see the necessity of it; the witness said, that an enquiry so early would be of great importance; he says he repeated it three or four times, stating, that the Prisoner was in the same danger, having been shot at the Thursday before: the Prisoner took him into the front parlour, and shewed him the manner in which he was shot at; that he was sitting at the table, and that according to the direction of the ball it must have come within six inches of his head; that that was the room Mr. Blight was accustomed to sit in, and he had no doubt it was intended for him; they then returned into the room where Mr. Blight was; the Prisoner said he had had a pain in his bowels, that he found it necessary to go to the privy, and said to Mr. Blight, I do not like to leave you; then the Prisoner said, that when he went out he left the parlour or front door open; the witness told him that it was very wrong to leave Mr. Blight unprotected; that he was certain human nature was not so depraved, for one man to shoot another without a cause: he turned to the witness, and said, he had as much reason to suspect him as any body else; that is as much as to say, I have no cause to suspect any body, and therefore I may as well suspect you as any body else; the Prisoner said, that he and the deceased had been upon the alert all the

evening, as they expected a visit of this kind, and they had been on the wharf a few minutes before. So far were the Prisoner and the deceased from having been upon the alert, you hear, that the deceased came home tired, they had drank tea, and had been drinking grog. In consequence of the Prisoner's saying, that they had been on the alert, the witness said, it was very wrong to leave the doors open, and it was more wrong of him a great deal, to leave the door open, if the story of the firing on Thursday was a true one.

James Berry, the gentleman who was with Mr. Morgan, says, that on the 23d of September he heard what had happened, he went to Mr. Blight's door; that Mr. Morgan insisted upon going in; the Prisoner came to the door and said to Mr. Morgan what a shocking thing this is; Mr. Morgan, as well as he recollects, said, this is not a time to talk about that, shall I search the premises; he said, I will be much obliged to you if you will. He says, he went into Mr. Blight's room, and came out again immediately; the Prisoner said, the best way to proceed would be to go and search the vessel which was breaking up, he said, on the Thursday night, when the pistol was fired, we thought we heard a rumbling in the vessel, which induces me to advise you to go that way; the Prisoner then went with a candle and candlestick to a remote part of the yard; the witness took the more notice of it, because he thought it very rash in him to go by himself: he says, he was gone about a minute and a half; that he took no notice of him; that the vessel lay sixteen feet from the wharf; that she was heeling from the wharf, that they could not get on board; that there were no signs of any one having been on the mud; that from the edge of the water to the top of the wharf is about fourteen or fifteen feet perpendicular, he says, that no person from on board the vessel could have shot at the window upon the wharf, that this vessel ly-

ing in such a position, and so much further towards the Deptford Road, that it was impossible that any shot fired from that ship could have struck the window; that if the decks were out, they could not, with any possibility; that he went into the room where Mr. Blight was; that Mr. Morgan was there, but he did not pay attention to what passed; he says it was twenty minutes after the shot was fired that they began to search the premises.

John Pring tells you, that he brought the shutter which has been shewn you from Mr. Blight's house.

Charles Stonard tells you, that he was a labourer at Mr. Blight's; he left work the evening before the first shot was fired, the next morning he heard of what had passed; he says, that he looked at the shutter which is produced; he says it was the lower sash, which was about two feet nine inches from the ground: he says it was about twelve feet from the mud to the wharf; that close to the edge of the wharf the mud was not over their shoes, but that no person could get that way without being up to their middle in mud; that the vessel lay towards the stone-mason's yard; that across the wharf was about twelve yards; that it was impossible that any person in that vessel could fire at that window so low as two feet nine inches from the ground; the bullet must necessarily go a much greater height: he says, the hole which is in the window shutter slants differently from the way in which it would have slanted if it had come from this vessel; he says there is a crane, but it has no house belonging to it; there is no place of concealment at all; he says any person who had escaped must have done so by climbing over the gates, and then the Miss Davies' must have seen them. He says on the Thursday night he slept with the Prisoner; that he carried no apparel with him but what he had on; that he is perfectly certain he carried no white stockings with him. He says,

that the palings, towards the Stone-mason's yard, are very slight; that no person could get over without breaking them, and none of them were broke. He says, that on the Tuesday before the Coroner's Jury sat, the Prisoner said to Esther Kitchener, now, Esther, you are going before the Jury, you must speak the truth, and nothing but the truth; and she said she should. Gentlemen, I agree with the observation, that if the conversation had stopped here, it would not have furnished evidence of any importance; but why should he suppose himself to be suspected when no accusation had been made against him; it is offered to you as evidence, to shew that he was conscious of something, because there was not, as far as we hear from any of the witnesses, the least suspicion entertained respecting him; perhaps, however, no strong inference can be drawn from it, but his language is certainly in the nature of leading questions; they are suggestions which would necessarily prompt the answer. He says, they will cross-question you, and ask you a good many questions, and if you begin one story you must keep to that story, and no other, if you do not you will get me into prison; they will ask you whether you gave me a candle; you know I asked you for a candle, and you gave me a candle; I took the candle out of your hand, and went into the privy, and you heard me shut the privy-door: they will ask you all these questions, and you must tell them so; that about eleven o'clock at night on the 24th, the day after the death of Mr. Blight, he takes her into the kitchen, tells her questions will be asked, and mentions those circumstances that were likely to be material for him. Then the witness says, that after the Prisoner had been before the Coroner's Jury on the Wednesday night, he said, I was as near being hung as any thing ever was in this world. He says, Esther Kitchener was at that time in the kitchen; and he added, if I had, I

should have been as happy as I am now. What these words import I know not, I can put no construction upon them; he might mean that he was so unhappy at the loss of his master, that he would as soon have been in his situation; or it may mean, that he was wretched in his own mind, and could not be more so; which of those constructions should be put upon those words, must be left to you. He goes on and says, some people seem to think it was me that shot Mr. Blight; the Jury asked me whether I had a couple of pistols; I told them, yes, I have a couple of pistols, very short ones, somewhere above stairs in the box; you have seen me have the pistols, have not you? I said, No. It appears those were pistols which could not have been used upon this occasion, because they had no ramrods, they were screw barrels, which the pistol used upon this occasion was not. The prisoner said they were very short ones; and the witness said, those did not shoot my master, it was a larger one; the Prisoner said, some people seem to think it was I that shot Mr. Blight; but one man shall take one of these pistols in his hand, I will take the other, and he shall have the first fire, meaning, I presume, that those pistols were not very fit for the purpose.

George Smith, a shipwright, says, he heard the report of a pistol, which appeared to have been fired from Mr. Blight's yard; there were three other boys near him, and five labourers; he was between ten and eleven yards from the gates; one of the labourers happened to have a link, which gave a good light; he says, no one, that he saw, came from Mr. Blight's; and that if they had climbed over, he must have seen them; he might be there a minute, more or less, that he heard no noise of any person walking or attempting to get over the gate. You observe, Gentlemen, the gates are such that a person might with great ease get over inside; that there were pieces of

wood lying about the yard; that they might easily get over; but he says, no person did come over that he saw.

Gentlemen, the next person called is John Brown, who says, he was with the last witness, near Mr. Blight's gates; he heard the report of a pistol; that five men were just before him, one of whom had a link; he says, that from the part where he was, he must have seen any one coming off Mr. Blight's premises in any direction: that is, either going towards Rotherhithe or Deptford, or going across to the road that leads to the high public road; he says, that Smith said, "they are again shooting the ship-breaker:" their attention is drawn to it, and they all three undertake to say, that in the situation in which they were, if any person had made their escape from those premises, they must have seen them.

Gentlemen, the next witness is Sarah Blight, the widow of the deceased, and you observe that the defence which has been read to you to-day, as well as the account given by the Prisoner, upon one of the examinations before the Magistrate, presents this statement of matters, as between the deceased Mr. Blight and the Prisoner; namely, that he was in no degree in debt to Mr. Blight; on the contrary, that he had lent Mr. Blight, at different times, of his own money £1200 and upwards: you have heard the condition in which he came to Mr. Blight; but he states that he lent him considerable sums of money, and that all was settled by Mr. Blight in July, 1805; by which settlement the property was transfered, and sold out and out, and possession given in consequence of that sale, and the documents turned over to the prisoner; by which all scores were cleared between them, and that this 1000l. draft had nothing to do with any account between Mr. Blight and Patch, but it was money that was to go into Blight's own pocket. In order to contradict this

account, Mrs. Blight is called, and she completely refutes that account if you believe her testimony. What she says, is, that she first became acquainted with the Prisoner about two years and an half since; that his sister lived as a servant with her; that he began this acquaintance with her by visiting that sister; that he soon after entered into Mr. Blight's service, and stated he had left the country on account of some difficulties occasioned respecting some tithes. What difficulties respecting tithes could banish a man from his estate in the country, and make him sell it, is a little difficult to conceive; however, we have no confirmation of this account. She says, that after some little time, he was engaged in Mr. Blight's service, at 40l. a year; that he worked a short time for his victuals and drink; that he was at that time employed in superintending other workmen; that he worked one year at the rate of 40l. a year, when his salary was raised to 100l. He certainly had acquired the good opinion of Mr. Blight to a very great degree. She says, that about four months before the death of Mr. Blight, he gave her some papers to deliver to Patch upon a certain contingency; that she was to give those papers to the Prisoner in case of his being questioned about the property. She says, she never parted with those papers till after her husband's death; that she kept them in her custody; after which, she found them, on her return, in a tin box, where Mr. Blight had put them four months before; that they were directed to her, "Mrs. Blight" being written upon the envelope. She says he was taken into custody the evening after he had been questioned by the Coroner about the property, and that the Prisoner never had those papers in his possession till the 27th of September; that Mr. Blight went from town on Thursday and that he received a letter on

Saturday which induced him to return; she produces that letter, and it is this;

" DEAR SIR,

" I have a very unpleasant and alarming thing to inform you of:—I was last evening sitting in the front room, in the chair Mrs. Blight sits in at breakfast, about half-past eight o'clock, and to my great surprise I heard the report of a gun; the contents of it came through the window nearest the yard gate. When the servant brought the lights in, I ordered her to shut the windows, as I intended to go to bed early; so the ball came through the window shutter, the side frame, and knocked the blind all to pieces, one of which struck me on the side of the head, but, I am happy to say, done me no material damage. I immediately ran into the yard, but could not see any one, and for the present am at a loss to judge the intention of it; but it seems very likely to be intended for your's or my life. I hope I shall find it to be accidental, which will be a great satisfaction to me, and I suppose to you also; but from the direction it came through, there is reason to think it was done from the wharf:—if so—no doubt the party was disappointed to find the window shut. I don't know what enemy you may have, but for my part I don't know I have offended any one by word or deed, or had a quarrel with any one. I have had but little business since you were gone, and have nothing particular more to insert, but my kindest respects to yourself and family, and hope this will find you all in health. I shall be happy to receive a few lines from you, but much more to see you, as you are the only friend I have to consult with. I am,

" Dear Sir,

" Your most obedient humble Servant,

" RICHARD PATCH."

Gentlemen, you will observe, that although the time was running on very hard, and had drawn very near when the 1000l. note was payable; which, according to the Prisoner's own account, was a note that Blight was to receive the whole benefit of, not a word was said about it, although the second note would have become due on the Monday. She tells you, that Mr. Blight intended to have returned to London on the Monday; that she heard conversations between her husband and the Prisoner, respecting a thousand pound bill drawn upon Mr. Goom; that the Prisoner represented it as the purchase money for an estate he had sold in Devonshire; and that Mr. Blight was to receive this 1000l. as a consideration for the Prisoner to have a part of the business; that 1250l. was to be given, and that 250l. had been paid in hand by the Prisoner; that she had many times heard Mr. Blight say, when the bill became due it was to be paid into Mr. Blight's hands; that she heard her husband ask the Prisoner, why, when it became due it was not paid; that the Prisoner said his friend Goom was not ready to pay it; that he could get 500l. of him, but he would not take it, as he could not have the whole; that matters were in that state when he came from Margate; that he came away on the Sunday evening, instead of the Monday morning; that after her arrival in London she spoke to Patch about it: this was on the Friday morning; and as soon as she returned, she says she asked if Mr. Goom's bill was paid; he said, yes; that Goom had been there to breakfast on the Tuesday morning, by appointment, and, that he had been to the Bankers, and the money was actually paid. She says she knew the contents of the papers that she was to deliver to Patch; that the object of them was to secure Mr. Blight's property to his family, because his trustees persecuted him very much; that all this she has now re-

peated, was frequently said between Patch and Mr. Blight, consequently in the Prisoner's presence; that she never heard, till her husband's death, that the Prisoner had paid 1250l. for a share of the business; that the prisoner advanced no other sum than 250l. and 50l. afterwards; that if he had advanced 1250l. she must necessarily have known it, as she was well acquainted with the whole management of his affairs. Gentlemen, the receipt, and bill of parcels were then read to you, as well as the letter from Mr. Blight to the Prisoner.

Upon her cross-examination, she says that her husband had failed as a West India Merchant; that a trust deed was executed; that no dividend has been made of his effects; and that Mr. Blight carried on his present business to a very considerable extent.

Now, Gentlemen, you find here a complete contradiction to that which had been stated before the Magistrate, and that which is stated in the defence to-day. You find, with respect to the transaction when Mr. Blight was in difficulty, he masked his property to give it the appearance of belonging to the prisoner, and that for that purpose he made a deed, purporting to be a transfer of the whole of his property for the sum of 2065l. but Mrs. Blight tells you that it never was acted upon; that the papers remained in the tin case, and never were so much as delivered out of her possession, and that the true meaning and intent was, that if the creditors should press upon Mr. Blight more than they had done, that they were to be produced, and the property was to appear to be not Mr. Blight's, but the Prisoner's. This he converts, in his defence and in his examination before the Magistrates, into a transaction that he actually took possession of the stock and premises, began business, continued it, and carried it on after that time. However, on the 15th of July, he says he entered into business, and

had these very papers in his possession; but Mrs. Blight says he never had them till the 27th of September, when she herself delivered them to him.

Gentlemen, Stephen Goom is then called, who tells you that he is a glue-maker, and lives in Tyer's Gateway, Bermondsey, which corresponds exactly with the direction upon the thousand pounds bill; that he employed the Prisoner's brother; that he has not seen the Prisoner, from seven to ten years. He says he never had any pecuniary concerns with him; that he gave him no authority to draw upon him whatever; that he never received any money from him; that he never received any money on account of the Prisoner; that he never knew of the Prisoner having drawn upon him to any amount; that he never had asked his permission so to do; that he never gave him any note, or other security; that he never made any appointment to breakfast at Mr. Blight's; that he did not know the Prisoner was there; that he never called at the banking-house of Messrs. Wood, Percival, and Co. and never told any body that he had done so.

Mr. Thomas Graham, a ship-owner, is then called, and he says, that he knew Mr. Blight, and had seen him on Monday the 23d of September; that, on the Friday previous, he had called at Mr. Blight's house about the payment of a ship, when he saw the Prisoner; that Mr. Blight himself was then at Margate; that the Prisoner told him of a shot being fired, which had gone through the window; that he took him in and shewed him the window: he asked him if he knew any cause for it; that the Prisoner said, no; but he believed it was intended either for him or Mr. Blight. He says, he shewed him the place where he sat, and said, that some part of the blind had struck him; that he shewed him where the ball was found, half-way between him and the window; and the witness saw part of the blind

lying on the floor; that he expressed some surprise at the splinters lying about; and that the Prisoner said he wished Mr. Blight to see them; that he asked if he had any suspicion of any person; that he said no; but that Mr. Blight had had some words with a person about a dock; he thinks he mentioned the name of Clarke; that the Prisoner said he would write to Mr. Blight to come home immediately; that he was very uneasy about it. He says, that on the Monday he called again about one o'clock, and saw Mr. Blight; who had just come in from riding to town; that he sat down and ate something with him; that the Prisoner came in, and said, Mr. Blight, where are your spurs; that he then had boots on, and Mr. Blight said, Now, Patch, don't you return without the money; to which the Prisoner replied, Sir, you may depend upon it, I shall not come back till it is settled, and then went away: those are the words which he denied to have said in his examination before the Magistrates.

Mr. Pereival is then called, who says, that the Prisoner opened an account at their house on the 7th of September last; that he paid in a draft for 1000l. upon Mr. Goom, drawn by himself, on account, payable on the 16th September; that before it was due he called again, saying, that Goom was not prepared to pay the draft on the 16th; that he would take the draft with him, and send another on a future day; that accordingly, he sent another that was dated on the 20th, which was produced and read; that before that became payable he received a letter from the Prisoner, dated on the 19th of September, stating, that Mr. Goom was not able to face the draft; and that the Prisoner would call and take up the check, and give Goom's note, but he did not take up the check, or leave the note. He says, that on the 23d of September Mr. Blight called at their house about ten o'clock to enquire about the draft upon Goom, and he then shews an entry in the Pri-

soner's banking-book, which is this—" Messrs. Willis, Wood, Percival, and Co. will please to place the above bills to the credit of the executors of the late Mr. Isaac Blight;"—and it is signed by himself: the second draft appears to have been erased from that book by the bankers in the regular course of their business. Now, Gentlemen, here you have another contradiction, for the Prisoner says, that Mr. Blight never did go to town on that day, though by this evidence it appears he certainly did, and was at Mr. Percival's shop. You find also, that the note which he promised to take up, he never did take up, but he writes a letter to them, saying it was not convenient to Goom to take it up at that time, and that he had received a note for it, which was more satisfactory to him. Then, the Websters are called to prove they were in different places at the time, and that the suspicion which the Prisoner was the first to suggest, could not possibly be founded in fact, for they proved themselves to be in totally different places. Thomas Webster says, he is a sawyer; that he heard on Tuesday evening Mr. Blight was killed; that he was shot the night before; that he had been at work at Lavender Yard till six o'clock; that he then went to a public house, and went home about half past six, which is about four or five hundred yards from Mr. Blight; that he went to bed about eight o'clock; that his daughter was in labour, and he thought that going to bed was the best way of getting out of the way of the women. He says, he went by Mr. Blight's premises, but he had no fire-arms with him; that his son had never absconded; that he had gone to sea on the last day of August, and did not return till a fortnight after the death of Mr. Blight; so that his absence, which was called absconding, turns out to have been occasioned by his going to sea, and could have no connection with searching the house. He says, that Patch was the cause of his yard being searched; he

does not think that Blight had any concern in the search; that it was made after his son went away, and therefore he could not abscond in consequence of it. You find when the Prisoner is asked whether he could not cast suspicion upon any body, he throws it upon Webster; and it appears that Patch himself was the man who caused his house to be searched, and not Mr. Blight; therefore there could be no possible enmity in Webster to Mr. Blight.

William Webster, the son, says, he left London on the last day of August; that he went to Deal, and did not return till about a fortnight after Mr. Blight's death.

Harriet Webster says, her sister-in-law was brought to bed on the night Mr. Blight was shot; that her father came home in liquor, and went to bed about eight o'clock; that she had occasion to call him up, and that he did not go out of the house till five o'clock next morning.

Joseph Clarke says he is a labourer; that the day on which Mr. Blight was shot was a Monday; that on the evening of that day he was at the Red Lion, at Poplar; that he stayed about an hour and a half there, till half past eight o'clock; then he went to the Green Dragon, and then to the King's Head; that John Cox was with him the whole day, and was not near Mr. Blight's premises; that he had had a quarrel with Mr. Blight about a dock, but that was a long time ago.

John Cox says, they were in each other's company during the whole of that day. Then, Gentlemen, the agreement was put in, which was to shew that 1250l. was to be paid when the business was separated, and the Prisoner was to have one-third of the profits, and to take a part of the stock.

Mr. Jones, the surgeon, states, he saw the Prisoner at Mr. Blight's on the 23d of September; that he knew him about a year and a half before; that in general his custom was to wear boots; that he

saw him on that day in different situations in the house; that he had boots on when he called first, but when he saw him in the evening he wore white stockings; that he was called in as the surgeon to Mr. Blight about nine o'clock; that the Prisoner met him at the door, and told him what had happened, and pointed out Mr. Blight to him; that all the assistance Mr. Blight required, he would have only from the Prisoner's hand, so much was he in favour with Mr. Blight; that the breeches which he had on were of a light colour, such as he himself wore; that his stockings, he believes, were white, and that he first observed them between eleven and twelve o'clock at night, when he was assisting Mr. Blight.

Mary Salter says, she is a washerwoman, and washed for the Prisoner; that she received his linen on Monday the 23d, between eleven and twelve; that she had had his linen only once before, and that was at the distance of a month or five weeks; that she marks her customer's linen with different sorts of worsted, and marks different person's stockings, and a new customer's, particularly; she puts worsted into them, but cannot recollect having any white stockings from Patch on that day: then a pair of stockings were shewn to her with marks like those she put on her new customer's linen, but she does not identify them; she says, the linen she had from Patch on the Monday, was foul on Tuesday; and that she then had only one pair, and they were brown stockings: we don't get the stockings identified by her, as coming to her from Patch.

Then Mr. Stafford is called, and he says, the stockings produced by him he found in a closet in the Prisoner's bed-room; that they were folded up, having exactly the appearance they have now; that he felt a hardness when he grasped them; that he opened them, and found the soles all over mud; that the upper parts were very clean, but are now a good deal soiled by being handled by different persons;

that they had not the least appearance of having been worn under boots. Upon his cross-examination, he says, he made the discovery of the stockings upon the 30th September, so that it amounts to this, that from the 23d to the 30th, which is a week after the evidence, a pair of stockings is found in the Prisoner's room, in a situation not expected to be found, dirty stockings, having upon them evident marks of the person who had worn them having been walking without shoes where there was a great deal of dirt, among the fragments of wood, and things of that sort; those are found in his bedchamber in this condition; and you recollect Jones says he saw him between eleven and twelve o'clock at night, in white ribbed stockings, without boots.

Richard Murch is then called, and speaks to a very remarkable circumstance. He says he was employed to search the privy on the Wednesday af- Mr. Blight was shot, between the hours of three and five in the afternoon; that he found the ramrod of a pistol in the trunk, which stuck about two inches in the soil; that there was wadding at the worm end of it, and that the rest of the ramrod was perfecly clean; that there was nothing in the place like a person with a looseness having been there; more to the contrary; that he saw the Prisoner at the Acorn, and observed some persons speaking to his sister; that the Prisoner called her to him, and said, Sarah, have not such and such persons been asking you questions? He says, the names were mentioned; that she answered yes; on which he said, be cautious of what you say, the report is of me, but they can bring no proof against me. Upon some questions put by me to the witness, it turns out, this place, as he describes it, is of this description: that the soil is so very hard that it operates as a pan, and keeps it from sinking or falling down into the well, and can find no passage. You hear from the Prisoner himself, that he had been several

times, before and after, making use of this place, certainly he was there so recently as eight o'clock on the Monday; and this man, who is conversant with this sort of work, tells you, if any person had made use of it but once, it must have been discovered. It appears that nobody could have made use of it in that way; there was nothing at all in it that indicated any person distressed, as the Prison expressed himself to have been, but quite the contrary.

Mary Smith is then called: she says, that she is servant at the Brown Bear, where these persons waited to be called in turns for their examination; that the Prisoner asked her to go to the servant, and take a glass of wine, with his compliments, and tell her not to fret, for they only kept her confined to frighten her, to see whether she would alter her story. Then Mr. Graham is called, and he produces the examinations.

Gentlemen, without wearying you with these examinations, I will repeat only the substance; there is first a description of the transaction on the 15th of July, which, as I stated to you before, the Prisoner represents as an entire conclusion of all accounts: that every thing was settled between them, no debt was due from him; that the deeds were delivered over to him, and he began business as a partner on the payment of that money. You have heard what Mrs. Blight says upon that point. In the next place, the Prisoner says, that with regard to this note, it was an entire fabrication, suggested by Mr. Blight; that it was not a note that he had given as a good note; that he was no way interested in it, but that Mr. Blight thought it would be a very good expedient, (if he should be called upon) to send this fictitious 1000l. note, to make a better figure in the banker's hands. Now, how that could make a better figure in the banker's hands it is very difficult for any mortal man to

comprehend, how it could be better to place a note in the banker's hands, that he knew would not be paid it is impossible for me to discover. The fact, as it turns out from Mrs. Blight's evidence is, that it was considered to be a good bill. Mr. Percival tells you, that Mr. Blight came to his shop himself; and another witness says, that Patch was ordered by Mr. Blight not to come back without the money; and it also appears that apologies were made from time to time, with which Mr. Blight was continually displeased.

Now Gentlemen the substance of the defence of the Prisoner as well as I could collect it was this, that in the first place the destruction of Mr. Blight would be the ruin of his fortune; that it was probable that it would not go on with that prosperity which it would have done if Mr. Blight had lived. With regard to that you will consider the rest of his observations upon that point. It is true that the representatives of Mr. Blight might have carried it on, and the stock in trade have been applied just in the same manner as if Mr. Blight had continued in the business. It appears that Mr. Blight's intention was to concern himself no farther, but that he took this very active partner into the business, in all human probability, for the purpose of taking from himself a great part of the labour of the business; so that notwithstanding Mr. Blight's death, if he had died a natural death, it did not necessarily follow that the business should be broken up; but that Mrs. Blight, or he, or some other persons for them, might carry on the business: then he says, the dispute about tithes was the cause of his selling an estate which he had in the West of England.—We have no evidence of any such thing: he still insists upon the advances he made to Mr. Blight; and he insists further, that Mrs. Blight knew of these advances.—Mrs. Blight tells you she knows of no such thing, but conceives the Prisoner owes 1000l.

He insists upon an actual assignment, but Mrs. Blight says those papers were only to be made use of in case the creditors became pressing—that they were never to be delivered up to him but upon that occasion; and that they continued in the same tin box where they had been placed by Mr. Blight, till the 27th of September. Indeed he says the 1250l. composed no part of the capital at all—it was mere cash that had no connection with the business; it had no connection with the trade: on the contrary, it appears from all the rest of the evidence, that 1250 l. was the exact sum that was to be paid for a share of the profits, of which 1000 l. had not been paid, and of which only 250 l. had been paid, except 50l. more, which was paid afterwards. He says, that the check was known to Mr. Blight to be a fabrication; and he persists in it as a matter done merely to keep up appearances—that it never was considered as a valid note at all—that this was known to Mrs. Blight, and that it was a concerted scheme between them.—Then there are called to his character two or three witnesses, who have known him for the last two or three years, or thereabout.—Mr. Slee says, he never heard any thing amiss of him; the second says, he has known him about three years, and that he bore a good character; the third says, he has known him above a twelvemonth, but his knowledge of him was only by his dealing in the yard: they all speak to his character but for a short time back; and the last witness says, it was only from dealing with him in the yard that he knew him, and that he was an industrious man.

Gentlemen, upon the whole of this evidence you are to consider, in the first place, whether you are satisfied with regard to this 1000l. Whether you think there was not a complete deception carried on upon Mr. Blight with respect to it, as it has been proved by Mrs. Blight's testimony, and whe-

ther there was not in Mr. Blight's mind a perfect persuasion that this 1000l. check, as part of the consideration, was good and effective money, and would be paid for that third share of the business: the evidence in that respect seems to be exceedingly strong, and in no way to be affected by the suggestion, that it was Mr. Blight's wish to make a foolish appearance, not with his own cash, but with the Prisoner's cash at the Prisoner's bankers. If you are of opinion that that is so, the next question is, does any man deceive another in this way, time after time, without having some ulterior object. And then you will be to say whether he had the ulterior object of destroying this gentleman, Mr. Blight.—The next step in the business is the transaction of the 19th.—Now that transaction consists of these circumstances:—he himself orders the window to be shut at an earlier hour than usual; the effect of that window being shut would be, that nobody could see whether any person was sitting in the room or not.—Now we must suppose one of two things, either that if a stranger had fired this pistol, it must be one who knew the state of the family at that time, or one who did not; if he did not know its divided state, he must suppose the family was entire—that Mr. and Mrs. Blight, and the Prisoner, were in the house—that the maid servant might be passing backwards and forwards—that visitors might come in, and then, not knowing where any of them were stationed, not knowing who was in the room, or how they were circumstanced, you must suppose him to shoot his pistol, and take his chance of whom it might kill. That seems to be a very inexpert way of taking the life of any individual, to fire through the window shutter, merely to take the chance of his being in the seat where he usually sat, without knowing whether he was in the room, or whether he was sitting in his usual seat or not.

If the person who fired that pistol knew that Patch was alone in the house, how could he have known that he was gone to sit in Mr. Blight's chair; the window was shut, and he could not tell whether Patch was in the room, or whether any body was in the room, but it appears by firing at the place where Mr. Blight usually sat, that the determination of the person was evidently and in reality to aim at Mr. Blight; but if you suppose this was all a stratagem, certainly every thing was convenient for that purpose. Mr. Blight was out of the way, with his wife at Margate, the girl was sent out for oysters, nobody could see whether any body was in the room, the coast was perfectly clear, the window was shut, and if there had been a candle in the room it could not have been seen.—Then there is added to that, the negative evidence of those persons whose evidence I have read to you, who say they were so placed that no person could have come over those palings without their having been observed by them; and that no person could have got over without breaking them down, they being very slight, and not meant for support; and no breaking appears in these palings.—Then, Gentlemen, comes the third step, which was the act itself; and with regard to that, I have already observed to you, that the door out of which the Prisoner went to the privy was certainly left open, by which means he could return quickly, if he was so disposed—You find there was no anxiety whatever with respect to making any search, or any enquiries, or that sort of bustle on that night which it would naturally be expected would shew itself on such an occasion in any one who had so much regard for the deceased as the Prisoner states himself to have had.—You find the same sort of evidence repeated, that no person whatever was seen to go from the premises: one would almost expect, that when the Prisoner was running back in such a

hurry, that the person who had shot Mr. Blight must have been seen by him when he was coming out of the necessary.—You find, too, that with respect to the necessary, to which he says he had had occasion to resort frequently, there was not the least appearance of any person having been there for that purpose.—You find likewise, that there was an implement for charging a pistol, namely, a ramrod, found, not exposed, but stuck into the soil. We all know there is sometimes a difficulty in getting the ramrod of a pistol back again into the small circle that receives it, if the person is in a hurry, especially if he knows that a moment's delay would be dangerous; it was necessary therefore to get rid of the ramrod as soon as possible, and go on with his pistol.—You find, too, that Mr. Jones observed him between 11 and 12 o'clock at night with white stockings and shoes, and you find that a pair of white stockings, with the soles of the feet all over mud, were discovered in the room in which he slept.—Now, in opposition to this, there is the demeanour of the Prisoner in other respects; that demeanour consists in the circumstances of his having shewn particular attention to Mr. Blight between the time he received the shot and the time he expired. To be sure, that mode of conducting himself might be taken as a part of the design, but if it was sincere, it goes against the idea of his being the hand which occasioned the death; certainly we do know, that when these things are concerted with great art, they are carried on so as to deceive the persons present.

Gentlemen, you are to decide upon the whole of the circumstances, and to say whether you are satisfied that this was a transaction bottomed in fraud originally, whether it was carried on by deception, and afterwards consummated by the perpetration of this offence. You will also take into consideration the evidence of Esther Kitchener

with regard to the space of time which was necessary for him to have come from the privy, when she says she heard him shut the door, having to pass through the counting-house, and to come to the front door, and you will say whether it is possible for him to have been the person. If you should be of opinion that this is the most strong and the best constructed chain of evidence one has almost ever heard of, consisting of a number of circumstances, many of which are unaccountable, unless it is upon a presumption of his guilt, some of them being inexplicable, and the whole body of them being such, as in your opinion, could not happen upon any reasonable supposition, but that of his being the person, and the very nature of circumstantial evidence being, that you must be satisfied that there is no rational mode of accounting for it but upon that supposition, if you should be of that opinion you will find him guilty, but if you think there is any, the least tolerable probability upon the evidence, of these circumstances being accounted for, then it is a case of that sort which will not amount to a conviction of the Prisoner. You will take the whole into your consideration and deliver your verdict accordingly.

The Jury having retired about twenty minutes, returned with a verdict of GUILTY.

Clerk of the Arraigns. Richard Patch, hold up your hand—You have been indicted for the wilful murder of Isaac Blight, to which indictment you have pleaded not guilty, and for your trial have put yourself upon your country, which country have found you guilty; what have you now to say why you should not receive judgment to die according to law?

(*The usual Proclamation for silence was then made.*)

SENTENCE.

Lord Chief Baron. Richard Patch, you have been tried by an attentive and most considerate Jury. In pronouncing a verdict of guilty upon you, they have found that you began this practice in fraud, continued it in ingratitude, and completed it by shedding the blood of your friend and benefactor! More need not, more cannot be said; it remains only for me to pass that sentence upon you which the law commands me; which is, that you, Richard Patch, be taken to the place from whence you came, and that on Monday morning next you be taken from thence to a place of execution, and there be hanged by the neck till you be dead, and that your body be afterwards dissected and anatomized. May the Almighty have mercy on your Soul!

THE END.

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